## MICHAEL P. MALLOY, Ph.D.

Distinguished Professor and Scholar University of the Pacific McGeorge School of Law

# **RESUME**

#### **Education**

#### THE GRADUATE SCHOOL, GEORGETOWN UNIVERSITY

Ph.D. (August 1983)

Dissertation: Civil Authority in Medieval Philosophy: Selected Commentaries of Aquinas

and Bonaventure.

Honors: Pass with Distinction, Philosophical Anthropology Comprehensive Examina-

tion

#### FEDERAL FINANCIAL INSTITUTIONS EXAMINATION COUNCIL

Basic International Banking (August 1981)
Intermediate International Banking (September 1981)

#### HAGUE ACADEMY OF INTERNATIONAL LAW

Certificate, Course of Study in Public International Law (July-August 1981)

#### THE LAW SCHOOL, UNIVERSITY OF PENNSYLVANIA

J.D. (May 1976)

Honors: Scholarship Grant (Three Years)

Best Memorials, American Society of International Law Moot Court Competition

(Mid-Atlantic Region, 1976)

Third Place, Best Oral Arguments, American Society of International Law Moot

Court Competition (Mid-Atlantic Region, 1976)

#### **COLLEGE OF ARTS & SCIENCES, GEORGETOWN UNIVERSITY**

B.A. (May 1973)

Honors: General University Grant (Four Years)

Magna cum laude Phi Beta Kappa

# **Employment**

#### McGEORGE SCHOOL OF LAW, UNIVERSITY OF THE PACIFIC

3200 Fifth Avenue, Sacramento, CA 95817-2799

**Distinguished Professor and Scholar** (2003 to date): Teaching responsibilities in areas such as *Banking Law*, *Business Associations*, *Commercial Law* (Payment Systems), *Con-*

tracts, Current Issues in Securities Regulation, International Banking, International Business Transactions, International Trade, Law and Literature, and Securities Regulation. Introduced courses in Economic Sanctions and Trade, International Banking, Law and Literature, and Transnational Arbitration into the curriculum.

Member, University Academic Affairs and Graduate Studies Committee (Fall 2020-). Member, University Compensation Committee (Spring 2018-): Pursuant to a charge by the University president, participating in the task of analyzing, assessing, and recommending new approaches to faculty and non-faculty compensation and benefits.

**Member, Pacific Vision Initiative Task Force** (Spring 2017): At the request of the University president, participated in University-wide effort to identify and formalize institutional values.

Teacher of the Year (LL.M. Division, May 2014).

Faculty On-Site Director, London Summer Program (2007, 2008).

Faculty Director, J.D. Certificate Program in International Legal Studies (2005-2010). Director, Center for Global Business and Development (2004-2008): Supervised international research, publications, educational and conference activities with respect to global business and development, and participated in Center programs in Africa, Asia, and Europe. Oversaw the activities of the Institute for Global Business, the Institute for Sustainable Development, and the Institute for Development of Legal Infrastructure, with the assistance of institute directors.

**Distinguished Faculty Award** (May 2000): Conferred by the University with citation for "contributions to [the University of the] Pacific through research, teaching and international and national service meet[ing] the highest standards of faculty achievement."

Faculty Director, J.D. Concentration in International Legal Studies (1999-2001, 2006-2010).

Faculty Adviser, The Transnational Lawyer (1998-2001).

Chair, Graduate and International Studies Committee (1997-2001).

Faculty Adviser, Vis International Commercial Arbitration Moot Team (1996-1998; 1999-2000).

Professor of Law (July 1996-December 2002).

#### U.S. REPRESENTATIVE, REAL ESTATE MARKET ADVISORY GROUP

Committee on Urban Development, Housing and Land Management (formerly Committee on Housing and Land Management)

**UN Economic Commission for Europe** 

(UN Office Geneva, 2015-): Providing expert guidance to REM and the Committee, particularly on the impact of regulatory policy on housing and development; serving as one of the principal drafters of the revised *Policy Framework for Sustainable Real Estate Markets*, published by the UN Economic Commission for Europe in 2019.

#### **UNIVERSITY OF CALIFORNIA, DAVIS**

Davis, CA

*Visiting Professor of Law* (Summer Sessions, 2014-2016, 2018): Teaching courses in Orientation in USA Law program and in the UC Davis LL.M. program.

RECHTSWISSENSCHAFTLICHE FAKULTÄT. UNIVERSITÄT SALZBURG

Salzburg, Austria

**Gastprofessor** (Fall Semesters, 2005-2008): Teaching a course on Transnational Business Transactions in the collaborative LL.M. program offered by Salzburg and Pacific McGeorge.

#### FACULTY OF LAW, MACAU UNIVERSITY OF SCIENCE AND TECHNOLOGY

Macau, Peoples Republic of China

*Visiting Professor of Law* (2006-2008): Consulting with respect to the future development of the Faculty, and in particular regarding the Master of Laws in International Economic and Commercial Law Program.

#### SUFFOLK UNIVERSITY SCHOOL OF LAW

120 Tremont Street, Boston, MA 02108

**Visiting Professor of Law** (2001-2002): Teaching responsibilities in Administrative Law, Commercial Paper and Payments Systems, and International Trade Regulation.

# MORIN CENTER FOR BANKING AND FINANCIAL LAW STUDIES BOSTON UNIVERSITY SCHOOL OF LAW

765 Commonwealth Avenue, Boston, Massachusetts 02215 (Fall 2001)

**Lecturer on Law**: Teaching responsibilities in *Government Regulation of Depository Institutions* offered in the LL.M. program at the Morin Center.

### RECHTSWISSENSCHAFTLICHE FAKULTÄT, UNIVERSITÄT SALZBURG

Salzburg, Austria

Gastprofessor (Spring 2000): Designed and presented a course on *International Arbitration: Theory and Practice* to students of the law faculty. Presented a four-hour Tagung ("conference") on *Current Issues in International Arbitration* at the invitation of the Rechtsakademie to professors, practitioners, and other experts.

#### FORDHAM UNIVERSITY SCHOOL OF LAW

140 West 62d Street, New York, New York 10023

**Professor of Law** (1987-1996): Teaching responsibilities in areas such as domestic and international bank regulatory law, contracts, corporate/securities, public international law, international trade and international organizations. Introduced courses in *International Banking*, *International Financial Institutions* and *Economic Sanctions* into the curriculum. **Director of Graduate Studies** (1990-1994): Supervision of the operation and policies of the Graduate Program, offering LL.M. degree programs in Banking, Corporate and Finance Law and in International Business and Trade Law. Created and supervised the Graduate Colloquium, in conjunction with the Annual Survey Issue of the FORDHAM LAW REVIEW. Introduced the *Graduate Seminar* into the curriculum, requiring preparation and public defense of Master's Thesis by each LL.M. candidate.

**Faculty Adviser, LL.M. in Banking, Corporate & Finance Law** (1989-1990): In the first year of the Graduate Program, supervised and advised LL.M. candidates specializing in Banking, Corporate and Finance Law studies. Acted as assistant and adviser to the first Director.

# MORIN CENTER FOR BANKING AND FINANCIAL LAW STUDIES BOSTON UNIVERSITY SCHOOL OF LAW

765 Commonwealth Avenue, Boston, Massachusetts 02215 (Spring 1995, Spring 1996)

**Lecturer on Law**: Teaching responsibilities with respect to the course in International Banking offered in the LL.M. program at the Morin Center.

#### WASHINGTON COLLEGE OF LAW, AMERICAN UNIVERSITY

4400 Massachusetts Avenue, NW, Washington, DC 20016 (Fall 1995)

**Visiting Professor of Law**: Teaching responsibilities with respect to courses in *Business Associations* and *Financial Institutions*.

#### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

2120 L Street, NW, Washington, DC 20037 (1988-1992)

**Consultant**: Research study of the administration of the Securities Exchange Act of 1934, with respect to bank- and thrift-issued securities, by the federal bank regulatory agencies (*i.e.*, the Comptroller of the Currency, Federal Reserve Board, FDIC, Office of Thrift Supervision) under the authority of section 12(i) of the Act.

# MORIN CENTER FOR BANKING LAW STUDIES BOSTON UNIVERSITY SCHOOL OF LAW

765 Commonwealth Avenue, Boston, Massachusetts 02215 (1986-1990)

**Lecturer on Law**: Teaching responsibilities with respect to courses in *International Banking* and *Public International Financial Institutions* offered in the LL.M. program at the Morin Center.

#### ADMINISTRATIVE CONFERENCE OF THE UNITED STATES

2120 L Street, NW, Washington, DC 20037 (1986-1987)

**Consultant**: Research study of the formal enforcement adjudication practices and procedures of the federal bank regulatory agencies (*i.e.*, the Comptroller of the Currency, Federal Reserve Board, FDIC, Federal Home Loan Bank Board and the FSLIC, and the National Credit Union Administration). Study recommendations adopted by the Conference and later incorporated by the Congress into the Financial Institutions Reform, Recovery, and Enforcement Act of 1989.

#### SETON HALL UNIVERSITY SCHOOL OF LAW

1111 Raymond Boulevard, Newark, New Jersey 07102 (1983-1987)

**Associate Dean for Academic Affairs** (1986-1987): Supervision of academic policy, course assignments and scheduling for day and evening programs of the law school. Assisted the Dean in all aspects of policy and administration.

Professor of Law (1986-1987),

**Associate Professor of Law** (1983-86): Teaching responsibilities in such areas as bank regulatory law, business associations, public international law, international organizations, securities regulation and related areas. Introduced Banking Law and *International Banking* into the curriculum.

OFFICE OF THE ASSISTANT GENERAL COUNSEL (INTERNATIONAL AFFAIRS) U.S. DEPARTMENT OF THE TREASURY

15th & Pennsylvania Avenue, NW, Washington, D.C. 20220

**Special Assistant for Foreign Assets Control** (May-August 1985): At the request of Treasury, assumed duties for a limited time to assist in the implementation of embargo controls imposed pursuant to the President's declaration of a national emergency with respect to Nicaragua. Rendered legal advice and assistance to the Assistant General Counsel (International Affairs), the Director of the Office of Foreign Assets Control, and other Treasury officials on issues concerning embargo and blocking programs.

#### **NEW YORK LAW SCHOOL**

57 Worth Street, New York, New York 10013 (1982-1983)

**Assistant Professor of Law**: Introduced *Banking Law* into the curriculum. Also offered courses in *Corporations* and *Multinational Corporations and Foreign Ventures*.

# OFFICE OF THE GENERAL COUNSEL, SECURITIES AND EXCHANGE COMMISSION Washington, D.C. 20549

(1981-1982)

**Special Counsel (Enforcement & Disclosure Policy)**: Supervision of four staff attorneys, under the general guidance of an assistant general counsel, in researching and advising on legal issues concerning enforcement of the federal securities laws. Appointed special counsel after four months as a senior staff attorney with primary responsibility for researching and advising on legal issues involving depository institutions and their holding companies.

# OFFICE OF THE CHIEF COUNSEL OFFICE OF THE COMPTROLLER OF THE CURRENCY U.S. DEPARTMENT OF THE TREASURY

490 L'Enfant Plaza East, SW, Washington, D.C. 20219 (1981)

Attorney-Adviser, Securities & Corporate Practices Division: Drafting answers to inquiries from banks, attorneys, and other federal agencies on securities, corporate and disclosure matters; drafting banking circulars and letters on securities matters; coordination with other federal agencies (principally FDIC, FRB and SEC) on significant legal and disclosure matters affecting national banks; drafting congressional testimony, speeches, regulations and rulings for the Comptroller and staff. Received rating of "Outstanding" upon annual review.

# OFFICE OF THE CHIEF COUNSEL, FOREIGN ASSETS CONTROL U.S. DEPARTMENT OF THE TREASURY

1331 G Street, NW, Washington, D.C. 20220 (1977-1980)

Attorney-Adviser: Legal issues concerning the Iranian Assets Control Regulations; embargoes against, and blocked assets of, Cambodia, Cuba, North Korea, and Vietnam; blocked assets of East European states; China normalization. Office contact for Justice Department concerning litigation involving Iran. Action officer for interagency emergency study. Special assignments of limited duration reporting directly to the General Counsel and/or the Assistant Secretary (Enforcement and Operations). Received Treasury Department Special Achievement Award in recognition of efforts during the Iran crisis.

#### INSTITUTE OF INTERNATIONAL LAW & ECONOMIC DEVELOPMENT

1511 K Street, NW, Washington, D.C. 20005 (1976-1977)

**Research Associate**: Legal research, drafting and editing on constitutional law, international law, and federal-territorial relations. Projects funded by private and government sources, including Commerce Department and the Governments of the Northern Mariana Islands, Guam, and the Virgin Islands.

#### **Editorial Positions**

Editor, Proceedings of the American Society of International Law (1987-1989)

Chair, Editorial Advisory Board, BANKING LAW ANTHOLOGY, International Library (1995-1997)

Member, Board of Editors, FRONTIERS OF LEGAL RESEARCH (Canadian Academy of Oriental and Occidental Culture) (appointed 2012)

Member, Editorial Advisory Board, UNIVERSITY OF WESTERN SYDNEY LAW REVIEW (appointed 2012)

Contributing Editor, ContractsProf Blog, available at http://lawprofesors.typepad.com/contractsprof\_blog/ (2014-2015)

Member, Editorial Board, ATHENS JOURNAL OF BUSINESS & ECONOMICS (appointed 2014). Co-Editor, ATHENS JOURNAL OF LAW (appointed 2014)

## Membership

Member, Athens Institute for Education and Research ("ATINER"), Athens, Greece (2006-)

Executive Member, ATINER (2012-present)

Member, Strategic and Advisory Council, Πανελλήνια Ένωσης Επιχειρηματιών & Εμπειρογνωμόνων της Διασποράς (Pan-Hellenic Enosis of Entrepreneurs & Experts of the Diaspora) (2013-present)

Director, Business and Law Research Division, ATINER (2013-present)

Member, Editorial Board, ATHENS JOURNAL OF BUSINESS & ECONOMICS (appointed 2014)

Co-Editor, ATHENS JOURNAL OF LAW (appointed 2014).

Member, Steering Committee, International Contracts Conference (2018-)

Association of American Law Schools

Section on Financial Institutions and Consumer Financial Services

Member, Executive Committee (2017-)

Chair, Executive Committee (2002-2003)

Chair-Elect & Program Chair (2001-2002)

Secretary-Treasurer (2000-2001)

Member, Executive Committee (1998-2000)

Section on Business Associations

Member, Executive Committee (2021-)

AALS Section on Socio-Economics

Treasurer, Executive Committee (2021-)

Assistant Secretary/Treasurer, Executive Committee (2019-2020)

Member, Planning Committee (2018)

Chair, Nominations Committee (2018)

Member, Executive Committee (2017-)

**AALS Section on Contracts** 

Member, Executive Committee (2022-)

Chair, Committee on Economic Sanctions, International Law Association (American Branch) (1995-1997)

U.S. Supreme Court Bar (admitted 1991)

American Bar Association (admitted 1988)

U.S. District Court for the District of New Jersey (admitted 1984)

Association of Former Professors and Participants of the Institute of International Public Law and International Relations (admitted 1984)

L'Association des Auditeurs et Anciens Auditeurs de l'Academie de Droit International de la Haye (admitted 1981)

The Hegel Society of America (admitted 1979)

New Jersey Bar (admitted 1976)

American Society of International Law (admitted 1975)

Member, Executive Council (1986-1989)

Moot Court Judge (National Memorial Awards) (1978-1980, 1982)

Member, ad hoc Editorial Committee for the Jessup Moot Court Competition Problem (1977-1980)

Member, Moot Court Panel, International Division Final Round (1978)

## References

Available upon request.

## **Publications**

See ANNOTATED BIBLIOGRAPHY, attached.

# Sausage

Faculty Webpage News from Nusquam

## MICHAEL P. MALLOY, Ph.D.

Distinguished Professor and Scholar University of the Pacific McGeorge School of Law

# ANNOTATED BIBLIOGRAPHY\*

#### **Books**

CIVIL AUTHORITY IN MEDIEVAL PHILOSOPHY: LOMBARD, AQUINAS AND BONAVENTURE (University Press of America: 1985).<sup>1</sup>

THE CORPORATE LAW OF BANKS: REGULATION OF CORPORATE AND SECURITIES ACTIVITIES OF DEPOSITORY INSTITUTIONS, 2 vols. (Little, Brown and Company:1988).<sup>2</sup>

\_

<sup>\*</sup> Annotations do not include citations contained in other works authored by Michael P. Malloy.

<sup>&</sup>lt;sup>1</sup> This work is cited in Shannon K. Brincat, Death to Tyrants': The Political Philosophy of Tyrannicide – Part I, 4 J. of Int'l Political Theory 212, 221, 235 (2008) (quoting book in text).

<sup>&</sup>lt;sup>2</sup> This work was cited in Omnibank of Manatee v. United Southern Bank. 607 So.2d 76. 84 (Miss. 1992). It has been guoted and cited throughout Jonathan R. Macey & Geoffrey P. Miller. Bank Failures. Risk Monitoring, and the Market for Bank Control. 88 Colum. L. Rev. 1153 (1988). and was cited in Lawrence G. Baxter, Life in the Administrative Track: Administrative Adjudication of Claims against Savings Institution Receivers, 1988 Duke L.J. 422, 430 n.27, 431 nn.31, 34 (1988); D. Franklin Arey, III, Bank Directors' Duties Under the Common Law of Arkansas, 11 U. Ark. Little Rock L.J. 629, 629 n.1, 630 nn.8-10, 12, 633-634 nn.30, 44, 640 n.93, 643 n.122, 649 n.175 (1988-89); Lissa Lamkin Broome, The Influence of Enhanced Thrift Institution Powers on Commercial Bank Market Expansion, 67 N. Car. L. Rev. 795, 796 nn. 5, 8, 820 n.152, 838 n.294 (1989); William A. Lovett, Moral Hazard, Bank Supervision and Risk-Based Capital Requirements, 49 Ohio St. L.J. 1365, 1365 n.1, 1369 n.13, 1373 n.21, 1380-1382 nn.48, 50, 56, 1392 n.86 (1989); Lawrence G. Baxter, Judicial Responses to the Recent Enforcement Activities of the Federal Banking Regulators, 59 Fordham L. Rev. S193, S202 n. 51, S211 n. 108 (Annual Survey Issue 1991); Note, Unsecured Creditors of Failed Banks: It's not a Wonderful Life, 104 Harv. L. Rev. 1052, 1069 nn. 98-99 (1991); James F. Groth, Comment, Can Regulators Force Bank Holding Companies to Bail Out Their Failing Subsidiaries? -- An Analysis of the Federal Reserve Board's Source-of-Strength Doctrine, 86 Nw. U.L. Rev. 112, 122 n.74, 123 n.81 (1991); Daniel M. Laifer, Note, Putting the Super Back in the Supervision of International Banking, Post-BCCI, 60 Fordham L. Rev. S467, S472-S474 nn.34-36, 38, 40, 46 (Survey Issue 1992); Lawrence G. Baxter, Equitable Doctrines and Remedies in Contemporary Regulatory Settings, 56 L. & Contemp. Prob. 7, 11 n.17, 13-14, nn. 37, 40 (1993); Carl Felsenfeld, The Bank Holding Company Act: Has It Lived its Life? 38 Vill. L. Rev. 1, 92 n.474 (1993); R. K. BHALA, FOREIGN BANK REGULATION AFTER BCCI 75 n.109, 189 n.41 (1994); Lori J. Carlson, The Case Against Cash-Outs in National Bank Mergers: A Critical Analysis of NoDak Bancorporation v. Clarke, 79 Minn. L. Rev. 173, 178 n.21, 180 n.32, 186 n.68 (1994); Matthew G. Dore, Presumed Innocent? Financial Institutions, Professional Malpractice Claims, and Defenses based on Management Misconduct, 1995 Colum. Bus. L. Rev. 127, 175 nn.179-180, 176 n.181, 180 n.192; Elise Staffenberg, Note, Treacherous Terrain for In-House Bank Attorneys, 14

```
THE CORPORATE LAW OF BANKS, 1988 Cum. Supp. No. 1.
THE CORPORATE LAW OF BANKS, 1988 Cum. Supp. No. 2.
THE CORPORATE LAW OF BANKS, 1989 Cum. Supp. No. 1.
THE CORPORATE LAW OF BANKS, 1989 Cum. Supp. No. 2.
THE CORPORATE LAW OF BANKS, 1990 Cum. Supp.
THE CORPORATE LAW OF BANKS, 1991 Cum. Supp. No. 1.
THE CORPORATE LAW OF BANKS, 1991 Cum. Supp. No. 2.
THE CORPORATE LAW OF BANKS, 1992 Cum. Supp. No. 1.
THE CORPORATE LAW OF BANKS, 1992 Cum. Supp. No. 2.
THE CORPORATE LAW OF BANKS, 1993 Cum. Supp. No. 2.
THE CORPORATE LAW OF BANKS, 1993 Cum. Supp.
ECONOMIC SANCTIONS AND U.S. TRADE (Little, Brown and Company: 1990).3
```

Ann. Rev. Banking L. 405, 406 n.12, 410 n.30 (1995); Christopher J. Nelson, Director Liability and the Insolvent, Federally Chartered Financial Institution: A Standard Emerges, 73 Wash. U. L.Q. 1477, 1480 n.24, 1497 n.136 (1995); Patricia A. McCoy, The Notional Business Judgment Rule in Banking, 44 Cath. U. L. Rev. 1031, 1031 n.1 (1995); Hwa-Jin Kim, Markets, Financial Institutions, and Corporate Governance: Perspectives from Germany, 26 Law & Pol'y Int'l Bus. 371, 376 n.18 (1995); Jeffrey M. Cooper, Note, Out on a Limb: FIRREA's Cross-Guarantee Provision "Takes" Root in Branch v. United States, 33 Houston L. Rev. 299, 321 n.200 (1996); Patricia A. McCoy, A Political Economy of the Business Judgment Rule in Banking: Implications for Corporate Law, 47 Case W. Res. L. Rev. 1, 63 n.203 (1996); Lawrence L. C. Lee, Adoption and Application of a "Soft Law" Banking Supervisory Framework Based on the Current Basle Accords to the Chinese Economic Area, 16 Wis. Int'l L.J. 687, 718 n.165 (1998); Edward L. Rubin, The Inevitability of Rehabilitation, 19 Law & Ineq. 343, 352 n.39 (2001); Eric J. Gouvin, Bank Mergers in North America: Comparing the Approaches in the United States and Canada, 18 Transnat'l Law. 245, 247 nn.13, 16 (2005); Robert F. Weber, The Comprehensive Capital Analysis and Review and the New Contingency of Bank Dividends, 46 Seton Hall L. Rev. 43, 64 n.75 (2015) (citing and quoting treatise in note).

This book has been reviewed at 14 Fordham Int'l L.J. 867 (1991); 86 Am. J. Int'l L. 234 (1992); 26 Int'l Law. 252 (1992). It is cited in Footwear Distrib. & Retailers of America v. United States, 852 F.Supp. 1078, 1096 (Ct. Int'l Tr. 1994). The book has also been cited in Burns H. Weston, The Gulf Crisis in International and Foreign Relations Law, 85 Am. J. Int'l L. 516, 529 n.74 (1991); Catherine Tinker, "Environmental Security" in the United Nations: Not a Matter for the Security Council, 59 Tenn. L. Rev. 787, 794 n.33 (1992); Robert N. Cappucci, Amending the Treatment of Defense Production Enterprises under the U.S. Exon-Florio Provision: A Move toward Protectionism or Globalism? 16 Fordham Int'l L.J. 652, 657 n.21 (1993); Stephen Zamora, The Americanization of Mexican Law: Non-Trade Issues in the North American Free Trade Agreement, 24 L.& Pol'y Int'l Bus. 391, 404 n.35 (1993); James F. Smith, NAFTA and Human Rights: A Necessary Linkage, 27 U.C. Davis L. Rev. 793, 798 n.16, 799-800 nn.18, 20, 22, 802-803 nn.25, 27-28, 804 n.29 (1994); Patrick H. Hu, The China 301 on Market Access: A Prelude to GATT Membership? 3 Minn. J. Global Trade 131, 132 n.3 (1994); JOHN H. JACKSON, WILLIAM J. DAVEY & ALAN O. SYKES, JR., LEGAL PROBLEMS OF INTERNATIONAL ECONOMIC RELATIONS 989 n.17 (1995); Jeffrey J. Steinle, Note, The Problem Child of World Trade: Reform School for Agriculture, 4 Minn. J. Global Trade 333, 336 nn.11, 14 (1995); Jim Chen, Of Agriculture's First Disobedience and Its Fruit, 48 Vand. L. Rev. 1261, 1265 n.19 (1995); Richard D. Porotsky, Note, Economic Coercion and the General Assembly: A Post-Cold War Assessment of the Legality and Utility of the Thirty-Five-Year Old Embargo Against Cuba, 28 Vand. J. Transnat'l L. 901, 906 n.15 (1995); Susie A. Malloy, Note, The Inter-American Convention on the Law Applicable to International Contracts: Another Piece of the Puzzle

of the Law Applicable to International Contracts, 19 Fordham Int'l L.J. 662, 731 n.412 (1995); M. Jennifer MacKay, Comment, Economic Sanctions: Are They Actually Enforcing International Law in Serbia-Montenegro?, 3 Tul. J. Int'l & Comp. L. 203, 212-216 nn.61, 66-67, 69-70, 72, 80-82, 86 (1995); Amy E. Belanger, Note, Internationally Recognized Worker Rights and the Efficacy of the Generalized System of Preferences: A Guatemalan Case Study, 11 Am. U. J. Int'l L. & Pol'y 101, 130 n.144 (1996); Derek Devgun, International Fiscal Wars for the Twenty-First Century: An Assessment of Tax-Based Trade Retaliation, 27 L. & Pol'y Int'l Bus. 353, 381 n.151 (1996); Jeannette M.E. Tramhel, Helms-Burton Invites a Closer Look at Counter-Measures, 30 Geo. Wash. J. Int'l L. & Econ. 317, 330 n. 84, 333 n. 100 (1996-1997); Bret A. Sumner, Comment, Due Process and True Conflicts: The Constitutional Limits on Extraterritorial Federal Legislation and the Cuban Liberty and Democratic Solidarity (Libertad) Act of 1996, 46 Cath. U. L. Rev. 907, 908 n.3 (1997); Meghan McCurdy, Note & Comment, Unilateral Sanctions With a Twist: The Iran and Libya Sanctions Act of 1996, 13 Am. U. Int'l L. Rev. 397, 399 nn. 6-7, 400 nn. 9-13, 401 nn. 14, 16, 19, 405 nn. 47-48 (1997); Felicia Swindells, Note, U.N. Sanctions in Haiti: A Contradiction Under Articles 41 and 55 of the U.N. Charter, 20 Fordham Int'l L.J. 1878, 1896 nn. 108, 110, 1897 n. 113, 1905-1906 n. 166, 1929 n. 338 (1997); Rai Bhala, Hegelian Reflections on Unilateral Action in the World Trading System, 15 Berkeley J. Int'l L. 159, 163 n. 5, 191 & n. 128 (1997); Stephen V. Iglesias, The Legality of the Helms-Burton Act under NAFTA: An Analysis of the Arguments the United States, Canada, and Mexico May Present to a Chapter 20 Dispute Resolution Panel, 3-Spg NAFTA: L. & Bus. Rev. Am. 116, 128 n. 114 (1997); Matthew W. Cheney, Trading With the Dragon: A Critique of the Use of Sanctions by the United States Against China, 6 J. Int'l L. & Prac. 1, 2 n.10, 4 nn.16- 21, 5 nn.24-25, 28, 6 nn.32, 37, 41, 7 nn.42, 45, 47-48, 50, 8 n.53, 9 nn. 59-63, 10 nn. 64, 66-67, 70, 75 (1997); David Seligman, Between Iraq and a Hard Place: Letter of Credit Litigation Following the Gulf War, 6 U. Miami Bus. L.J. 143, 145 nn.4, 8, 12, 146 n.14 (1997); Peter L. Fitzgerald, Pierre Goes Online: Blacklisting and Secondary Boycotts in U.S. Trade, 31 Vand, J. Transnat'l L. 1, 15 n, 52, 20 n, 76 (1998); Laura Bowersett, Note, Doe v. Unocal: Torturous Decision for Multinationals Doing Business in Politically Unstable Environments, 11 Transnat'l Law. 361, 364 n.14, 380 n.173 (1998); S. Kern Alexander, Trafficking in Confiscated Cuban Property: Lender Liability under the Helms-Burton Act and Customary International Law, 16 Dick. J. Int'l L. 523, 531 n.43 (1998); David J. Santeusanio, Extraterritoriality and Secondary Boycotts: A Critical and Legal Analysis of United States Foreign Policy, 21 Suffolk Transnat'l L. Rev. 367, 368 n. 12 (1998); Susan S. Gibson, International Economic Sanctions: The Importance of Government Structures, 13 Emory Int'l L. Rev. 161, 167 n.20 (1999); Peter L. Fitzgerald, "If Property Rights were Treated like Human Rights, They Could Never Get Away with This": Blacklisting and Due Process in U.S. Economic Sanctions Programs, 51 Hastings L.J. 73, 83 n.40, 88 n.62, 94 n.88, 112 n.202, 121 n.272 (1999) (citing and quoting book); Cindy G. Buys, United States Economic Sanctions: The Fairness of Targeting Persons from Third Countries, 17 B.U. Int'l L.J. 241, 242 nn.1-2, 244 n.14, 264 n.122, 265 n.130 (1999) (citing and quoting book); Jason Luong, Note, Forcing Constraint: The Case for Amending the International Emergency Economic Powers Act, 78 Tex. L. Rev. 1181, 1187 nn. 42, 44, 1188 n.48, 1197 n.115, 1201 n.137 (2000) (citing and quoting book); Sarah H. Cleveland, Norm Internationalization and U.S. Economic Sanctions, 26 Yale J. Int'l L. 1, 41 n.227, 42 n.244, 49 n.295 (2001); Thomas W. Walde, Managing the Risk of Sanctions in the Global Oil & Gas Industry: Corporate Response under Political, Legal and Commercial Pressures, 36 Tex. Int'l L.J. 183, 185 n.5, 186 n.7, 188 n.12, 189 n.20, 195 n.35, 199 n.49, 213 n.109, 220 n. 134 (2001) (citing and quoting book); Peter L. Fitzgerald, Hidden Dangers in the E-Commerce Data Mine: Governmental Customer and Trading Partner Screening Requirements, 35 Int'l Law. 47, 58 n.84 (2001)); Manuel Vazquez, W(h)ither Zschernig?, 46 Vill. L. Rev. 1259, 1293 n.192 (2001); Deborah Senz & Hilary Charlesworth, Building Blocks: Australia's Response to Foreign Extraterritorial Legislation, 2 Melb. J. Int'l L. 69, 74 n.21, 75 n.25 (2001), Justin D. Stalls, Economic Sanctions, 11 U. Miami Int'l & Comp. L. Rev. 115, 147 n.132, 148

ECONOMIC SANCTIONS AND U.S. TRADE, 1991 Cum. Supp.

ECONOMIC SANCTIONS AND U.S. TRADE, 1992 Cum. Supp.

ECONOMIC SANCTIONS AND U.S. TRADE, 1993 Cum. Supp.

ECONOMIC SANCTIONS AND U.S. TRADE, 1994 Cum. Supp.

ECONOMIC SANCTIONS AND U.S. TRADE, 1996 Cum. Supp.

[Editor] 1987 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (1990).4

[Editor] 1988 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW (1990).

THE REGULATION OF BANKING: CASES AND MATERIALS ON DEPOSITORY INSTITUTIONS AND THEIR REGULATORS (Anderson Publishing Co.: 1992), with Statutory Appendix.<sup>5</sup>

nn.135, 139, 152 n.152, 153 n.155 (2003) (quoting in text and notes); Winston P. Nagan & Craig Hammer, The New Bush National Security Doctrine And The Rule of Law, 22 Berkeley J. Int'l L. 375, 399 n.90 (2004); Jean d'Aspremont, Note, Legitimacy of Governments in the Age of Democracy, 38 N.Y.U. J. Int'l L. & Pol. 877, 900 n.96 (2006); Jean d'Aspremont & Eric De Brabandere The Complementary Faces of Legitimacy in International Law: The Legitimacy of Origin and the Legitimacy of Exercise, 34 Fordham Int'l L.J. 190, 195 n.21 (2011); Elizabeth Clark Hersey, Note, No Universal Target: Distinguishing Between Terrorism and Human Rights Violations in Targeted Sanctions Regimes, 38 Brook. J. Int'l L. 1231, 1236 n.22, 1238 n.36 (2013); Kian Arash Meshkat, The Burden of Economic Sanctions on Iranian-Americans, 44 Geo. J. Int'l L. 915, 923 nn. 43, 48, 924 nn. 49, 52, 54 (2013); Mergen Doraev, Comment, The "Memory Effect" of Economic Sanctions Against Russia: Opposing Approaches to the Legality of Unilateral Sanctions Clash Again, 37 U. Pa. J. Int'l L. 355, 360 n.10, 361 n.18, 381 n.111 (2015) (citing book and quoting in text); Misha Boutilier, From Seal Welfare to Human Rights: Can Unilateral Sanctions in Response to Mass Atrocity Crimes Be Justified under the Article XX(A) Public Morals Exception Clause?, 75 U. Toronto Fac. L. Rev. 101, 108 n.42 (2017) (citing book in footnote and deferring to its analysis of effectiveness of economic sanctions); Perry S. Bechky, Sanctions and the Blurred Boundaries of International Economic Law, 83 Mo. L. Rev. 1, 3 n.8-9 (2018) (citing and quoting treatise in notes, disputing definition of "economic sanction" advanced by treatise).

<sup>4</sup> This work is cited in Ndiva Kofele-Kale, *Patrimonicide: the International Economic Crime of Indigenous Spoliation*, 28 Vand. J. Transnat'l L. 45, n.12 (1995).

This book has been cited in Inna Vysman, Note, *The New Banking Legislation in Russia: Theoretical Adequacy, Practical Difficulties, and Potential Solutions*, 62 Fordham L. Rev. 265, 270-271 nn. 46, 57, 282 n.161 (1993); Carrie Stradley Lavargna, *Government-Sponsored Enterprises are "Too Big to Fail": Balancing Public and Private Interests*, 44 Hastings L.J. 991, 993-994 nn. 9, 15, 998 n.25, 1007-1008 nn.104-105 (1993); David G. Oedel, *Private Interbank Discipline*, 16 Harv. J. L. & Pub. Pol'y 327, 339 n.45, 349 n.84 (1993); Andrew P. Strehle, *Teaching Old Laws New Tricks: The Prospect for Loan Participation Regulation*, 13 Ann. Rev. Banking L. 421, 426 n.34, 449 n.218 (1994); Barbara J. Ellis, *Commercial Real Estate Lending Standards under FDICIA: Changing the Rhythm of Boom, Bust, Crunch?*, 13 Ann. Rev. Banking L. 499, 504 n.38 (1994); Walter I. Conroy, Note, *Risk-Based Capital Adequacy Guidelines: A Sound Regulatory Policy or a Symptom of Regulatory Inadequacy?*, 63 Fordham L. Rev. 2395, 2425 n.215, 2442 n.359 (1995); John J. Kang, Comment, *The Dangers of Piecemeal Reformation of the United States Banking Industry*, 39 St. Louis U. L.J. 1099, nn.111-113, 116 (1995); Jennifer A. Marler, *American Deposit Corp. v. Schacht: Yet Another Attempt to Limit National Banks' Powers to Sell Nondeposit Investment Products*, 74 Wash. U. L.Q. 841, 844 n.16 (1996); Steven A. Ramirez, *The Chaos of 12 U.S.C. Section 1821(k): Con-*

```
THE REGULATION OF BANKING, 1994 Statutory Appendix (on disk).
```

THE REGULATION OF BANKING, 1994-1995 Case Supplement.

THE REGULATION OF BANKING, 1994 Teacher's Manual.

THE REGULATION OF BANKING, 1995 Statutory Appendix (on disk).

THE REGULATION OF BANKING, 1995-1996 Case Supplement.

THE REGULATION OF BANKING, 1995 Teacher's Manual.

THE REGULATION OF BANKING, 1996 Statutory Appendix (on disk).

THE REGULATION OF BANKING, 1996-1997 Case and Materials Supplement (on disk).

THE REGULATION OF BANKING, 1996 Teacher's Manual (on disk).

THE REGULATION OF BANKING, 1997 Statutory Appendix (on disk).

THE REGULATION OF BANKING, 1997/98 Case and Materials Supplement (on disk).

THE REGULATION OF BANKING, 1997 Teacher's Manual (on disk).

BANKING LAW AND REGULATION, 3 vols. (Little, Brown and Company: 1994).6

gressional Subsidizing of Negligent Bank Directors and Officers?, 65 Fordham L. Rev. 625, 628 n.9 (1996); Tim McCarthy, Note, Refining Product Market Definition in the Antitrust Analysis of Bank Mergers, 46 Duke L.J. 865, 876, n.54 (1997); Ling Ling Zou, Note and Comment, United States v. Winstar Corporation: Implications for the Regulated Industries, 16 St. Louis U. Pub. L. Rev. 477, 479 n. 18 (1997); Mark T. Cramer, Note, Contracts Written in Stone: An Examination of United States v. Winstar Corp., 25 Pepp. L. Rev. 567, 567 n. 3 (1997); Eric J. Gouvin, Banking in North America: The Triumph of Public Choice Over Public Policy, 32 Cornell Int'l L.J. 1, 7 n.27 (1998); Alvin C. Harrell, Some Surprising New (And Old) Perspectives on Check-Kiting, 57 Consumer Fin. L.Q. Rep. 214, 214 n.2 (2003) (referring to casebook as "well-regarded banking law text[]); Timothy R. Zinnecker, When a Hundred Grand Just Isn't Enough: Fifty Hypotheticals That Explore the Contours of FDIC Deposit Insurance Coverage, 72 TENN. L. REV. 1005, 1005 n.3, 1006 n.8 (2005) (citing and quoting treatise); Mark E. Budnitz, The Federalization and Privatization of Public Consumer Protection Law in the United States: Their Effect on Litigation and Enforcement, 24 Ga. St. U. L. Rev. 663, 670 n.34 (2008); Peter Lim Felton, Comment, Too Big to Manage: A Case For Stricter Bank Merger Regulation, 52 Santa Clara L. Rev. 1081, 1084 nn.13-15, 1086 nn.30, 33, 35, 1088 n.48 (2012) (repeatedly citing and quoting casebook in text and notes); Darryl E. Getter, Fannie Mae and Freddie Mac in Conservatorship: Frequently Asked Questions 3 n.10 (CRS Report No. R44525, July 22, 2020), available at https://crsreports.congress.gov/product/pdf/R/R44525.

<sup>6</sup> This treatise has been cited and quoted in *Dougherty* v. *Carver Fed. Sav. Bank*, 112 F.3d 613, 623 (2d Cir. 1997). It is also cited in Michael P. Battin, Note, *Bank Director Liability under FIRREA*, 63 Fordham L. Rev. 2347, 2347 nn.2, 5, 2350 n.24, 2372-2373 nn.181, 186, 2375 n.201, 2383 n.241 (1995); Walter I. Conroy, Note, *Risk-Based Capital Adequacy Guidelines: A Sound Regulatory Policy or a Symptom of Regulatory Inadequacy?* 63 Fordham L. Rev. 2395, 2395 n.1 (1995); Patricia A. McCoy, *The Notional Business Judgment Rule in Banking*, 44 Cath. U. L. Rev. 1031, 1040-1042, 1044 nn.43, 46, 50-52, 55 (1995); David G. Oedel, *Puzzling Banking Law: Its Effects and Purposes*, 67 U. Colo. L. Rev. 477, 508 n.98 (1996); Steven A. Ramirez, *The Chaos of 12 U.S.C. Section 1821(k): Congressional Subsidizing of Negligent Bank Directors and Officers?*, 65 Fordham L. Rev. 625, 643-644 n.103 (1996); Patricia A. McCoy, *A Political Economy of the Business Judgment Rule in Banking: Implications for Corporate Law*, 47 Case W. Res. L. Rev. 1, 28 n.66 (1996); Jeffrey Stowman, *Savings and Loan Director Liability in Kansas After O'Melveny & Myers*, 6 Kan. J. L. & Pub. Pol'y 199, 200 n. 8 (1996); Raj Bhala, *Equilibrium Theory, the FICAS Model, and International Banking Law*, 38 Harv. Int'll L.J. 1, 18 n.70, 21 nn. 85, 87 (1997); Thomas A. Tormey,

```
BANKING LAW AND REGULATION, 1994 Cum. Supp. BANKING LAW AND REGULATION, 1995 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 1995 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 1996 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 1996 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 1997 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 1997 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 1998 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 1998 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 1999 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 1999 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 2000 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 2000 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 2000 Cum. Supp. No. 2. BANKING LAW AND REGULATION, 2001 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 2001 Cum. Supp. No. 1. BANKING LAW AND REGULATION, 2001 Cum. Supp. No. 2.
```

Note, A Derivatives Dilemma: The Treasury Amendment Controversy and the Regulatory Status of Foreign Currency Options, 65 Fordham L. Rev. 2313, 2368 n. 360 (1997); Goebel, European Economic and Monetary Union: Will the EMU Ever Fly, 4 Colum. J. Europ. L. 249, 276 n. 97 (1998); Nicole Sabado, Note, Adopting a Jurisdictional Approach to the Rights of Asset Purchasers from the FDIC, 69 Fordham L. Rev. 287, 287 n. 4, 288 n. 6, 289 nn. 22-23, 291 nn. 37, 40 (2000) (citing and quoting treatise): Katherine E. Howell-Best, Note, Universal Charter Options; Providing a Competitive Advantage for State Financial Institutions, 6 N.C. Banking Inst. 487, 491 nn.34-37, 492 n.38. 493 nn.47, 49, 499 n.88 (2002): J. Michael Taylor, Islamic Banking: The Feasibility of Establishing an Islamic Bank in the United States, 40 Am. Bus. L.J. 385, 406-410 nn. 90-91, 98, 100-102, 108, 112-113 (2003) (citing and quoting work in text and note); Andrew T. Reardon, Note, An Examination of Recent Preemption Issues in Banking Law, 90 Iowa L. Rev. 347, 353 nn.47-48, 354 nn.50-51, 56 (2004); G. Scott Dowling, Comment, Fatal Broadside: the Demise of Caribbean Offshore Financial Confidentiality Post USA PATRIOT Act, 17 Transnat'l Law. 259, 285 n.234 (2004); Douglas C. Michael, Self-Regulation for Safety and Security: Final Minutes or Finest Hour?, 36 Seton Hall L. Rev. 1075, 1114 n.207, 1117 n.221, 1118 nn.226-227, 1119 n.230 (2006) (citing and quoting treatise); Paul E. Lund, National Banks and Diversity Jurisdiction, 46 U. Louisville L. Rev. 73, 76 n.13, 77 nn.21-28, 78 nn.34-35, 79 n.38, 80 n.41, 104 n.166, 106 n.177 (2007) (citing and quoting treatise in text and notes; adopting treatise concept of "reference over" in relation to federal statutory provisions incorporating state law requirements); Duncan Alford, the Lamfalussy Process and EU Bank Regulation: Another Step on the Road To Pan-European Regulation? 25 Ann. Rev. Banking & Fin. L. 389, 428 n.252 (2006); Paul L. Lee, Risk Management and the Role of the Board of Directors: Regulatory Expectations and Shareholder Actions, 125 Banking L.J. 679, 698 n.107 (2008); William F. Stutts & Wesley C. Watts, Of Herring and Sausage: Nordic Responses to Banking Crises as Examples for the United States, 44 Tex. Int'l L.J. 577, 599 n.143 (2009); Virginia Torrie, Weathering the Global Financial Crisis: An Overview of the Canadian Experience, 16 L. & Bus. Rev. Am. 25, 35 n.49 (2010); Onnig H. Dombalagian, Requiem for the Bulge Bracket?: Revisiting Investment Bank Regulation, 85 Ind. L.J. 777, 782 n.19, 783 n.21, 784 n.30, 791 n.68, 797 n.105 (2010) (citing and quoting treatise in notes); David Zaring, Administration by Treasury, 95 Minn. L. Rev. 187, 207 n.97 (2010); Jeff Merkley & Carl Levin, The Dodd-Frank Act Restrictions on Proprietary Trading and Conflicts of Interest: New Tools to Address Evolving Threats, 48 Harv. J. on Legis. 515, 517 n.16 (2011). Limited portions of this treatise are available on the website of the National Association of Independent Insurers.

```
BANKING LAW AND REGULATION, 2002 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2002 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2003 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2003 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2004 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2004 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2005 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2005 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2006 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2006 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2007 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2007 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2008 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2008 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2009 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2009 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2010 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2010 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2010 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2011 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2011 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2011 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2d ed., 3 vols. (Aspen Publishers: 2011).7
```

<sup>7</sup> This work is cited in Park National Bank v. Park Community Credit Union, Inc. --- F.Supp.3d ---, ---, 2020 WL 13016746 at \*4 (W.D.Ken. 2020) (citing and quoting treatise in text); American Bankers Association v. National Credit Union Administration, 934 F.3d 649, 658 (D.C.Cir. 2019) (citing treatise in text in support of court's discussion of federal chartering process for credit unions); In re Rent-Rite Superkegs West, Ltd., 603 B.R. 41, 59, 2019 WL 2179688 at \*9 (Bankr. D. Colo. 2019) (citing work in text); in a brief for the Appellant in Robinson v. Federal Housing Finance Agency, 2017 WL 564669 (6th Cir. Feb. 10, 2017), at \*23 (citing and quoting treatise); in an amicus brief on behalf of the Financial Services Roundtable, Santander Holdings USA, Inc. v. United States, 2016 WL 4492914 (1st Cir. August 22, 2016); and in a brief for the Plaintiff-Appellant in In re: Greektown Holdings, LLC, 2018 WL 5806772, at \*37 (6th Cir. Oct. 29, 2018) (citing and quoting treatise). It has also been cited in William A. Lovett, Transnational Finance Regulation and the Global Economy, 20 Tul. J. Int'l & Comp. L. 43, 44 n.5 (2011); Lynne L. Dallas, Short-Termism, the Financial Crisis, and Corporate Governance, 37 J. Corp. L. 265, 346 n.597 (2012) (citing and quoting treatise); Roberta S. Karmel, An Orderly Liquidation Authority Is Not the Solution to Too-Big-To-Fail, 6 Brook. J. Corp. Fin. & Com. L. 1, 15 & nn.86-88 (2011) (citing treatise and quoting in text); Peter J. Henning, Making Sure "The Buck Stops Here": Barring Executives For Corporate Violations, 2012 U. Chi. Legal F. 91, 121 n.103 (2012) (citing and quoting treatise); Onnig H. Dombalagian, The Expressive Synergies of the Volcker Rule, 54 B.C. L. Rev. 469, 525 n.300 (2013); Eugene Goyfman, Comment, Let's Be Frank: Are the Proposed US Rules Based on Basel III an Adequate Response to the Financial Debacle? 36 Fordham Int'l L.J. 1062, 1065 n.14, 1068 n.23, 1078 nn.81-82, 1079 nn.83-84 (2013) (citing and quoting treatise in notes); Christian Johnson, Regulatory Arbitrage, Extraterritorial Jurisdiction, and Dodd-Frank: The Implications of US Global OTC Derivative Regulation, 14 Nev. L.J. 542, 599 nn.341-342 (2014) (quoting treatise in text); Florence

```
BANKING LAW AND REGULATION, 2d ed., 2012 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2d ed., 2013 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2d ed., 2013 Cum. Supp. No. 1 (Aspen Publishers/Wolters Kluwer Law and Business).
BANKING LAW AND REGULATION, 2d ed., 2013 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2d ed., 2013 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2d ed., 2014 Cum. Supp. No. 1 (Wolters Kluwer Law and Business).
BANKING LAW AND REGULATION, 2d ed., 2014 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2d ed., 2014 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2d ed., 2015 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2d ed., 2015 Cum. Supp. No. 2.
BANKING LAW AND REGULATION, 2d ed., 2015 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2d ed., 2015 Cum. Supp. No. 3.
BANKING LAW AND REGULATION, 2d ed., 2016 Cum. Supp. No. 1.
BANKING LAW AND REGULATION, 2d ed., 2016 Cum. Supp. No. 1.
```

Wagman Roisman, Protecting Homeowners from Non-Judicial Foreclosure of Mortgages Held by Fannie Mae and Freddie Mac, 43 Real Est. L.J. 125, 186 nn. 313-314 (2014) (citing treatise); Florence Wagman Roisman, Protecting Homeowners from Non-Judicial Foreclosure of Mortgages Held by Fannie Mae and Freddie Mac, 43 Real Est. L.J. 125, 186 nn.313-314 (2014) (repeatedly citing treatise as to changes in federal bank regulatory structure); Thomas Zells, Note, The Post-2008 Lending Environment and the Need for Raising the Credit Union Member Business Lending Cap. 6 Wm. & Mary Bus. L. Rev. 739, 748 n.66 (2015) (quoting treatise); Onnig H. Dombalagian, Substance and Semblance in Investor Protection, 40 J. Corp. L. 599, 603 n.20 (2015) (citing treatise): Kathryn Judge, The First Year: The Role of a Modern Lender of Last Resort, 116 Colum. L. Rev. 843, 862 n.79 (2016) (citing and discussing treatise); Margaret Ryznar, Frank Sensenbrenner, & Michael Jacobs, Jr., Implementing Dodd-Frank Act Stress Testing, 14 DePaul Bus. & Com. L.J. 323, 327 nn.13, 23 (2016); Ashley Triplett, Comment, Incentive-Based Compensation Arrangements: An Examination of the Wells Fargo Scandal and the Need for Reform in Financial Institutions, 47 U. Balt. L. Rev. 315, 317 nn.23, 29, 319 n.39 (2018) (citing treatise); Xuan-Thao Nguyen & Erik Hille, Patent Aversion: An Empirical Study of Patents Collateral in Bank Lending, 1980-2016, 9 UC Irvine L. Rev. 141, 168 nn. 89, 91, 169 n. 95 (2018) (citing and quoting treatise for explanation of bank regulatory policies as to lending); Franklin A. Gevurtz, Groups of Companies, 66 Am. J. Comp. L. 181, 181 n.7 (2018) (citing and discussing treatise); Ganesh Sitaraman & Ariel Dobkin, The Choice Between Single Director Agencies and Multimember Commissions, 71 Admin. L. Rev. 719, 729 nn. 43-44 (2019) (citing treatise for discussion of rates of implementation of 2010 Dodd-Frank Wall Street Reform and Consumer Protection Act); David Zaring, Modernizing the Bank Charter, 61 Wm. & Mary L. Rev. 1397, 1409 n.55, 1412 n.79 (2020) (citing and quoting treatise in text and notes); Michael Abramowicz & Andrew Blair-Stanek, Contractual Tax Reform, 61 Wm. & Mary L. Rev. 1537, 1588 nn.208, 210-211 (2020) (citing and quoting treatise); Mike Adams, Comment, Good News for Low-Income Americans: In the Battle of Credit Unions Against Banks, Credit Unions Score a Point, 52 U. Pac. L. Rev. 161, 162 n.9, 165 n.42 (2020) (quoting treatise in text and citing it in note); Duncan Alford, The Operation of Supervisory Colleges in EU Banking Supervision: A Case Study of Soft Law Becoming Hard Law, 54 INT'L LAW. 83, 114 n.291 (2021) (citing treatise to offer comparison of bank regulatory system in European Union with that in United States); Ellen S. Podgor, The Dichotomy Between Over-criminalization and Underregulation, 70 Am. U. L. REV. 1061, 1109 nn.285-286 (2021) (quoting treatise in text); Christopher K. Odinet, Predatory Fintech and the Politics of Banking, 106 Iowa L. Rev. 1739, 1772 n.210 (2021).

```
BANKING LAW AND REGULATION, 2d ed., 2016 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2017 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2017 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2017 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2017 Cum. Supp. No. 4.
   BANKING LAW AND REGULATION, 2d ed., 2018 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2018 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2018 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2018 Cum. Supp. No. 4.
   BANKING LAW AND REGULATION, 2d ed., 2019 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2019 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2019 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2019 Cum. Supp. No. 4.
   BANKING LAW AND REGULATION, 2d ed., 2019 Cum. Supp. No. 5.
   BANKING LAW AND REGULATION, 2d ed., 2020 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2020 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2020 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2020 Cum. Supp. No. 4.
   BANKING LAW AND REGULATION, 2d ed., 2020 Cum. Supp. No. 5.
   BANKING LAW AND REGULATION, 2d ed., 2021 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2021 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2021 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2021 Cum. Supp. No. 4.
   BANKING LAW AND REGULATION, 2d ed., 2021 Cum. Supp. No. 5.
   BANKING LAW AND REGULATION, 2d ed., 2022 Cum. Supp. No. 1.
   BANKING LAW AND REGULATION, 2d ed., 2022 Cum. Supp. No. 2.
   BANKING LAW AND REGULATION, 2d ed., 2022 Cum. Supp. No. 3.
   BANKING LAW AND REGULATION, 2d ed., 2022 Cum. Supp. No. 4 (forthcoming).
   FUNDAMENTALS OF BANKING REGULATION (Aspen Law & Business: 1998).8
   INTERNATIONAL BANKING: CASES. MATERIALS. AND PROBLEMS (Carolina
Academic Press: 1998).9
```

<sup>&</sup>lt;sup>8</sup> This book has been reviewed at 18 Legal Information Alert 11 (July/August 1999). It has been cited in Andrew T. Reardon, Note, *An Examination of Recent Preemption Issues in Banking Law*, 90 Iowa L. Rev. 347, 349 n.7 (2004); Duncan E. Alford, *Core Principles for Effective Banking Supervision: An Enforceable International Financial Standard?*, 28 B.C. Int'l & Comp. L. Rev. 237, 359 n.171 (2005); Kenneth C. Kettering, *Securitization and its Discontents: The Dynamics of Financial Product Development*, 29 CARDOZO L. REV. 1553, 1662 n.359 (2008).

<sup>&</sup>lt;sup>9</sup> This book has been reviewed at 12 Transnat'l Law. 129 (1999). It has been cited in Keith R. Fisher, Foreword: International Banking at the Dawn of the Millennium, 25 Suffolk Transnat'l L. Rev. xiv, xv n. 7 (2002); G. Scott Dowling, Comment, Fatal Broadside: the Demise of Caribbean Offshore Financial Confidentiality Post USA PATRIOT Act, 17 Transnat'l Law. 259, 265 n.42 (2004); Barbara C. Matthews, Emerging Public International Banking Law? Lessons from the Law of the Sea Experience, 10 Chi. J. Int'l L. 539, 546 n.23 (2010); Robert F. Weber, New Governance, Financial Regulation, and Challenges to Legitimacy: the Example of the Internal Models Approach to Capital Adequacy Regulation, 62 Admin. L. Rev. 783, C n.48 (2010).

```
INTERNATIONAL BANKING, 1999 Supplement.
   INTERNATIONAL BANKING, 1999 Teacher's Manual.
   INTERNATIONAL BANKING, 2000-2001 Supplement.
   INTERNATIONAL BANKING, 2000-2001 Teacher's Manual.
   INTERNATIONAL BANKING, 2001-2002 Supplement.
   INTERNATIONAL BANKING, 2001-2002 Teacher's Manual.
   INTERNATIONAL BANKING, 2002-2003 Supplement.
   INTERNATIONAL BANKING, 2002-2003 Teacher's Manual.
   INTERNATIONAL BANKING, 2003-2004 Supplement.
   INTERNATIONAL BANKING, 2003-2004 Teacher's Manual.
   INTERNATIONAL BANKING: CASES, MATERIALS, AND PROBLEMS, 2d ed.
(Carolina Academic Press: 2005).10
   INTERNATIONAL BANKING, 2d ed., 2005 Documentary Supplement.
   INTERNATIONAL BANKING, 2d ed., 2005 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2006-2007 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2006-2007 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2007-2008 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2007-2008 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2008-2009 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2008-2009 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2009-2010 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2009-2010 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2010-2011 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2010-2011 Teacher's Manual.
   INTERNATIONAL BANKING, 2d ed., 2011-2012 Supplement.
   INTERNATIONAL BANKING, 2d ed., 2011-2012 Teacher's Manual.
   INTERNATIONAL BANKING: CASES, MATERIALS, AND PROBLEMS, 3d ed. (Car-
olina Academic Press: 2013).
   INTERNATIONAL BANKING, 3d ed., Documentary Supplement (2013).
   INTERNATIONAL BANKING, 3d ed., Teacher's Manual (2013).
   INTERNATIONAL BANKING, 3d ed., 2014-2015 Documentary Supplement.
   INTERNATIONAL BANKING, 3d ed., 2014-2015 Teacher's Manual.
   INTERNATIONAL BANKING, 3d ed., 2015-2016 Supplement.
   INTERNATIONAL BANKING, 3d ed., 2015-2016 Teacher's Manual.
   INTERNATIONAL BANKING, 3d ed., 2016-2017 Supplement.
   INTERNATIONAL BANKING, 3d ed., 2016-2017 Teacher's Manual.
   INTERNATIONAL BANKING, 3d ed., 2017-2018 Supplement.
   INTERNATIONAL BANKING, 3d ed., 2017-2018 Teacher's Manual.
```

<sup>&</sup>lt;sup>10</sup> This casebook has been cited in Ross S. Delston & Stephen C. Walls, *Reaching Beyond Banks: How to Target Trade-based Money Laundering and Terrorist Financing Outside the Financial Sector*, 41 Case W. Res. J. Int'l L. 85, 91 n.39, 92 n.48 (2009); William A. Lovett, *Transnational Finance Regulation and the Global Economy*, 20 Tul. J. Int'l & Comp. L. 43, 44 n.5 (2011); Nick Gregory, Note, *Lax Tax: The Threat of Secrecy Jurisdictions and What the International Community Should Do About It*, 20 Transnat'l L. & Contemp. Probs. 859, 889 n.170 (2012) (citing and discussing casebook).

INTERNATIONAL BANKING, 3d ed., 2018-2019 Supplement.

```
INTERNATIONAL BANKING, 3d ed., 2018-2019 Teacher's Manual.
   INTERNATIONAL BANKING, 3d ed., 2019-2020 Supplement.
   INTERNATIONAL BANKING, 3d ed., 2019-2020 Teacher's Manual.
   INTERNATIONAL BANKING: CASES, MATERIALS, AND PROBLEMS, 4th ed. (Car-
olina Academic Press: 2019).
   INTERNATIONAL BANKING, 4th ed., Documentary Supplement (2020).
   INTERNATIONAL BANKING, 4th ed., Teacher's Manual (2020).
   INTERNATIONAL BANKING, 4th ed., Documentary Supplement (2021).
   INTERNATIONAL BANKING, 4th ed., Teacher's Manual (2021).
   BANKING AND FINANCIAL SERVICES LAW: CASES, MATERIALS, AND PROB-
LEMS (Carolina Academic Press: 1999).
   BANKING AND FINANCIAL SERVICES LAW. 1999 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 1999 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2000-2001 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2000-2001 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2001-2002 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2001-2002 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2002-2003 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2002-2003 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2003-2004 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2003-2004 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW: CASES, MATERIALS, AND PROB-
LEMS, 2d ed. (Carolina Academic Press: 2005).11
   BANKING AND FINANCIAL SERVICES LAW. 2d ed., 2005 Statutory Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2005 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2006-2007 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2006-2007 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2007-2008 Supplement.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2007-2008 Teacher's Manual.
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2008-2009 Supplement. 12
   BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2008-2009 Teacher's Manual.
```

<sup>&</sup>lt;sup>11</sup> This casebook has been cited and quoted in text by *Watters v. Wachovia Bank, N.A.*, 550 U.S. 1, 26 (2007) (Stevens, J., dissenting). It is also cited in Daniel J. Boyle, *Greenspan's Lament: Incentive Mechanisms and the Contamination of the Safety and Soundness of Depository Institutions from Risky Derivative Securities*, 10 Transactions: Tenn. J. Bus. L. 199, 226 nn.85, 87-88, 227 n.89, 231 n.110, 232-233 & n.119, 233 n.120 (2009) (quoting and discussing in text and notes); Dori K. Bailey, *A Defense of the Doctrine of Preemption: Revealing the Fallacy that Federal Preemption Contributed to the Financial Crisis*, 16 U. Pa. J. Const. L. 1041, 1091-1092 nn.389, 392, 1094-1095 nn. 411-412, 414, 416-418 (2014) (citing and quoting casebook); Dori K. Bailey. *Preemption Principles: Weighing the Impact of Dodd-Frank*, 34 Banking & Fin. Services Pol'y Rep. 1, 11 nn. 200, 202 (2015) (citing casebook).

<sup>&</sup>lt;sup>12</sup> This book is cited in Daniel J. Boyle, *Greenspan's Lament: Incentive Mechanisms and the Contamination of the Safety and Soundness of Depository Institutions from Risky Derivative Securities*, 10 Transactions: Tenn. J. Bus. L. 199, 229 n.97 (2009) (discussing in note).

BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2009-2010 Supplement. BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2009-2010 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2010-2011 Supplement. BANKING AND FINANCIAL SERVICES LAW, 2d ed., 2010-2011 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW: CASES, MATERIALS, AND PROB-LEMS, 3d ed. (Carolina Academic Press: 2011). BANKING AND FINANCIAL SERVICES LAW, 3d ed., Statutory Supplement (2011). BANKING AND FINANCIAL SERVICES LAW, 3d ed., Teacher's Manual (2011). BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2012-2013 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2012-2013 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2013-2014 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2013-2014 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2014-2015 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2014-2015 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2015-2016 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2015-2016 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2016-2017 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2016-2017 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2017-2018 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2017-2018 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2018-2019 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2018-2019 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2019-2020 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2019-2020 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2020-2021 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2020-2021 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2021-2022 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2021-2022 Teacher's Manual. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2022 Supplement. BANKING AND FINANCIAL SERVICES LAW, 3d ed., 2022 Teacher's Manual. BANK REGULATION HORNBOOK (West Group: 1999). 13

<sup>13</sup> This book is cited in Constance Z. Wagner, Structuring the Financial Service Conglomerates of the Future: Does the Choice of Corporate Form to House New Financial Activities of National Banks Matter? 19 Ann. Rev. Banking L. 329, 330 n.3, 334 n.17, 346 n.57, 370 n.146 (2000); Richard J. Ansson & Ladine Oravetz, Tribal Economic Development: What Challenges Lie Ahead for Tribal Nations as They Continue to Strive for Economic Development? 11 Kan. J. L. & Pol-y 441, 463 n.287 (2002); Shawn N. Bailey, Note, Tearing Down the Wall Between Banking and Commerce: An Evaluation of the Federal Reserve Board-s Implementation of the New Standard for Permissible Non-Banking Activities, 91 Ky. L.J. 205, 209 n. 34, 210 & n. 36, 213 n. 56 (2002-2003) (quoting and discussing in text); Michael Abramowicz, Information Markets, Administrative Decisionmaking, and Predictive Cost-Benefit Analysis, 71 U. Chi. L. Rev. 933, C n.195 (2004); Cybil White, Note, Riegle-Neal's 10% Nationwide Deposit Cap: Arbitrary and Unnecessary, 9 N.C. Banking Inst. 347, 349 n.23, 357 n.94 (2005); Franklin A. Gevurtz, The Historical and Political Origins of the Corporate Board of Directors, 33 Hofstra L. Rev. 89, 109 n.92 (2004); Ronald J. Colombo, The Role of Trust in Financial Regulation, 55 Vill. L. Rev. 577, C nn.45, 47 (2010) (citing and quoting book in text).

BANK REGULATION HORNBOOK UPDATE: ENACTMENT OF GRAMM-LEACH-BLILEY ACT (West Group: 2000).

UNITED STATES ECONOMIC SANCTIONS: THEORY AND PRACTICE (Kluwer Law International: 2001).<sup>14</sup>

PRINCIPLES OF BANK REGULATION (Concise Hornbook Series, Thomson-West: 2d ed., 2003). 15

<sup>14</sup> This book was reviewed in 96 Am. J. Int'l L. 1009 (2002); 37 IAI Library Notes 114 (2002); 16 Ethics & Int'l Affairs C (2002). The book was cited in H. Scott Fairley, Relating to and Doing Business With Cuba: A Canadian Perspective, 36 Int'l Law. 1117, 1119 n. 8 (2002); Sarah H. Cleveland, Human Rights Sanctions and International Trade: A Theory of Compatibility, 5 J. Int'l Econ. L. 133, 152 n.81, 172 n.158, 184 n.203 (2002); Keith R. Fisher, In Rem Alternatives for Money Laundering, 25 Loy. L.A. Int'l & Comp. L. Rev. 409, 446 n.176 (2003), Thomas D. Grant, Partition of Failed States: Impediments and Impulses, 11 Ind. J. Global Legal Stud. 51, 70 n.35 (2004); Enrique R. Carrasco, Cuba's Development and Trade with U.S. Mid-western States: Opening Observations, 14 Transnat'l L. & Contemp. Probs. 1, 1 n.2 (2004); Kevin V. Tu, Comment, Extreme Policy Makeover: Re-Evaluating Current U.S.-Vietnam Relations under the International Religious Freedom Act, 14 Pac. Rim L. & Pol'y J. 771, 772 n.12 (2005); Jason Collins Weida, Reaching Multinational Corporations: A New Model for Drafting Effective Economic Sanctions, 30 Vt. L. Rev. 303, 306 nn.12, 16, 314 n.61, 330 n.155, 335 n.190, 336 n.197 (2006) (citing and quoting "[e]conomic-sanction expert Michael Malloy" in text and in notes); Philip M. Nichols, Using Sociological Theories of Isomorphism to Evaluate the Possibility of Regime Change Through Trade Sanctions, 30 U. Pa. J. Int'l L. 753, 754 n.7 (2009) (citing book); Lee Baker, The Unintended Consequences of U.S. Export Restrictions on Software and Online Services for American Foreign Policy and Human Rights, 23 Harv. J.L. & Tech. 537, 541 n.21, 542 n.31 (2010) (citing and discussing book in notes); Court E. Golumbic & Robert S. Ruff III, Leveraging the Three Core Competencies: How OFAC Licensing Optimizes Holistic Sanctions, 38 N.C. J. Int'l L. & Com. Reg. 729, 735 n.31, 740 n.52, 741 n.56 (2013) (citing and quoting book); Amanda Tuninetti, Note, Limiting the Scope of the Foreign Sovereign Immunities Act after Zivotofsky II, 57 Harv. Int=I L.J. 215, 248 n.216 (2016).

<sup>15</sup> This book is cited in Elizabeth R. Schiltz, The Amazing, Elastic, Ever-expanding Exportation Doctrine and Its Effect on Predatory Lending Regulation, 88 Minn. L. Rev. 518, 539 n.93, 541 n.101, 542 n.106, 544 n.114, 569 n.242, 571 n.255 (2004) (citing and quoting book in text); Arthur E. Wilmarth, Jr., The OCC's Preemption Rules Exceed the Agency's Authority and Present a Serious Threat to the Dual Banking System and Consumer Protection, 23 Ann. Rev. Banking & Fin. L. 225, 240 n.51, 242 n.60 (2004); James A. Fanto, Subtle Hazards Revisited: The Corruption of a Financial Holding Company by a Corporate Client's Inner Circle, 70 Brooklyn L. Rev. 7, -- n.87 (2004); Kimberly M. Gartner & Elizabeth R. Schiltz, What's Your Score? Educating College Students about Credit Card Debt, 24 St. Louis U. Pub. L. Rev. 401, 404 n.18 (2005); Julia Lane, Will Credit Cardholders Default over Minimum Payment Hikes? 18 Loy. Consumer L. Rev. 331, 353 n.174 (2006); James Fanto, Paternalistic Regulation of Public Company Management: Lessons from Bank Regulation, 58 Fla. L. Rev. 859, 865, n.14 (2006); Paul E. Lund, National Banks and Diversity Jurisdiction, 46 U. Louisville L. Rev. 73, 76 nn.14-17, 77 nn.18- 20, 28, 78 n.33 (2007) (citing and quoting book in text and notes); Peggy Delinois Hamilton, Why the Check Cashers Win: Regulatory Barriers to Banking the Unbanked, 30 W. New Eng. L. Rev. 119, 120 n.8, 127 nn.53- 54, 56-58 (2007); Paul E. Lund, Federally Chartered Corporations and Federal Jurisdiction, 36 Fla. St. U. L. Rev. 317, 321 nn.22-23 (2009) (citing and quoting book); Lucian A. Bebchuk & Holger Spamann, Regulating Bankers' Pay, 98 Geo. L.J. 247, 258 n.22, 280 n.88 (2010); Michael E. Murphy, Assuring Responsible Risk Management in Banking: The Corporate Governance Dimension, 36 Del. J. Corp. L. 121. 125 n.23 (2011): William A. Lovett, Transnational Finance Regulation and the Global Economy, 20

PRINCIPLES OF BANK REGULATION (Concise Hornbook Series, West: 3d ed., 2011). 16

PRINCIPLES OF BANK REGULATION (Concise Hornbook Series, West Academic: 4th ed., forthcoming).

[with John A. Spanogle, Jr., Louis DelDuca, Keith Rowley & Andrea Bjorkland], GLOBAL ISSUES IN CONTRACT LAW (Thomson-West, 2007).<sup>17</sup>

Tul. J. Int'l & Comp. L. 43, 44 n.5 (2011); Peter Lim Felton, Comment, *Too Big to Manage: A Case For Stricter Bank Merger Regulation*, 52 Santa Clara L. Rev. 1081, 1086-1090, nn. 31, 40, 47, 49, 51, 53, 59 (2012) (citing and quoting treatise); Colleen Baker, *The Federal Reserve as Last Resort*, 46 U. Mich. J.L. Reform 69, 81 nn.64-67, 69-72, 74-76 (2012) (citing and discussing book; quoting book in text and notes); Erik F. Gerding, *Bank Regulation and Securitization: How the Law Improved Transmission Lines Between Real Estate and Banking Crises*, 50 Ga. L. Rev. 89, 95, 98 n.34, 99 n.41, 100 n.44 (2015) (citing and quoting book in text and notes); Lauren Hirota, Comment, *Tomayto, Tomahto: The Cunning New Face of Payday Lending*, 52 U. Pac. L. Rev. 185, 197 nn.129-130 (2020) (citing book in notes).

<sup>16</sup> This book is cited in the Brief of Petitioners for a Writ of Certiorari in Angino & Rovner, P.C. v. Santander Bank, N.A., 2015 WL 8765976, at \*7-\*8. It is also cited in Arthur E. Wilmarth, Jr., Testimony before Subcomm. on Financial Institutions and Consumer Credit, H. Comm. on Financial Services, at - n.50 (Feb. 8, 2012), available at 2012 WLNR 2801244; http://financial services.house.gov/UploadedFiles/HHRG-112-BA-WState-AWilmarth-20120208.pdf; Arthur E. Wilmarth, Jr. The Financial Services Industry's Misguided Quest to Undermine the Consumer Financial Protection Bureau, 31 Rev. Banking & Fin. L. 881, 948 n.278 (2012); Colleen Baker, The Federal Reserve's Use of International Swap Lines, 55 Ariz. L. Rev. 603, 644 n.250 (2013) (citing and quoting treatise in note); Todd Blakeley Skelton, 2013 Jobs Act Review & Analysis of Emerging Growth Company IPOs, 15 Transactions: Tenn. J. Bus. L. 455, 463 n.67 (2014); Stephen Kim Park, Guarding the Guardians: The Case for Regulating State-Owned Financial Entities in Global Finance, 16 U. Pa. J. Bus. L. 739, 745 n.13 (2014), Marc L. Roark, Payment Systems, Consumer Tragedy, and Ineffective Remedies, 88 St. John's L. Rev. 39, 72 n.100 (2014); Tanya D. Marsh, Reforming the Regulation of Community Banks after Dodd-Frank, 90 Ind. L.J. 179, 208 nn. 208-209, 210 nn.233, 235 (2015); Brian R. Cheffins, The Corporate Governance Movement, Banks, and The Financial Crisis, 16 Theoretical Inquiries L. 1, 30 n.157 (2015); Paul L. Lee, Directors' Duty to Monitor: Experience in the Banking Sector--Part II, 133 Banking L.J. 483, 485 n.11 (2016); Kristin Johnson, Steven A. Ramirez, & Cary Martin Shelby, Diversifying to Mitigate Risk: Can Dodd-Frank Section 342 Help Stabilize the Financial Sector? 73 Wash. & Lee L. Rev. 1795, 1821 n.123 (2016); Deborah L. Dickson, Bank on Marijuana: A Legitimate Industry Warranting Banking Access, 2 Savannah L. Rev. 459, 477 n.78 (2016) (citing Principles on role of FDIC insurance and bank charters in maintaining bank solvency); Cary Martin Shelby, Closing the Hedge Fund Loophole: The SEC as the Primary Regulator of Systemic Risk, 58 B.C. L. Rev. 639, 641 n.4, 656 n.111. (2017) (citing Principles; discussing its treatment of bank regulatory system); Christina J. Lesko & Amir Shachmurove, A State Of Statelessness: The Indeterminate Domesticity of Federally Chartered Corporations, 39 Banking & Fin. Services Pol'y Rep. 5, 7 n.50 (2020); Cassandra Jones Havard, Doin' Banks, 5 U. Pa. J. L. & Pub. Aff. 317, 348 n.146 (2020) (citing and discussing book); Mike Adams, Comment, Good News for Low-Income Americans: In the Battle of Credit Unions Against Banks, Credit Unions Score a Point, 52 U. Pac. L. Rev. 161, 163 n.11, 164 n.32, 165 n.33 (2020) (citing and discussing book in notes).

<sup>17</sup> Reviewed at http://www.theconglomerate.org/2007/03/global\_issues\_i.html (visited 20 March 2007); http://lawprofessors.typepad.com/contractsprof\_blog/ (visited 21 March 2007); and, 56 Am. J. Comp. L. 499 (2008). This book is cited in Louis F. DelDuca, *Educating Our Students for What?* 

[with John A. Spanogle, Jr., Louis DelDuca, Keith Rowley & Andrea Bjorkland], GLOBAL ISSUES IN CONTRACT LAW (2d ed., West Academic: forthcoming).

ANATOMY OF A MELTDOWN (Aspen Publishers, 2010). 18

[with William A. Lovett], BANKING AND FINANCIAL INSTITUTIONS LAW IN A NUTSHELL (8th ed.: West Academic, 2014).

[with William A. Lovett], BANKING AND FINANCIAL INSTITUTIONS LAW IN A NUTSHELL (9th ed.: West Academic, 2019).

[with William A. Lovett], 银行和金融机构法 (上海人民出版社 2019).19

[Ed. & contributor], ECONOMIC SANCTIONS ANTHOLOGY (2 vols., Edward Elgar Publishing, Ltd., 2015).

[with Deborah R. Gerhardt], CONTRACTS SIMULATIONS: BRIDGE TO PRACTICE SERIES (West Academic: 2015).

[with Deborah R. Gerhardt], CONTRACTS SIMULATIONS: TEACHER'S MANUAL (West Academic: 2015).

[with Deborah R. Gerhardt], CONTRACTS SIMULATIONS: BRIDGE TO PRACTICE SERIES (2d ed., West Academic: 2022).

[with Deborah R. Gerhardt], CONTRACTS SIMULATIONS: TEACHER'S MANUAL (2d ed., West Academic: 2022).

CONTEMPORARY PAYMENT SYSTEMS (West Academic: 2016).

CONTEMPORARY PAYMENT SYSTEMS SUPPLEMENT (West Academic: 2016).

CONTEMPORARY PAYMENT SYSTEMS TEACHER'S MANUAL (West Academic: 2017).

CONTEMPORARY PAYMENT SYSTEMS UPDATE MEMO (West Academic: 2020).

CONTEMPORARY PAYMENT SYSTEMS SUPPLEMENT (West Academic: 2021).

CONTEMPORARY PAYMENT SYSTEMS TEACHER'S MANUAL (West Academic: 2021).

CONTEMPORARY PAYMENT SYSTEMS UPDATE MEMO (West Academic: 2021).

CONTEMPORARY PAYMENT SYSTEMS (2d ed., West Academic: forthcoming).

CONTEMPORARY PAYMENT SYSTEMS SUPPLEMENT (2d ed., West Academic: forthcoming).

CONTEMPORARY PAYMENT SYSTEMS TEACHER'S MANUAL (2d ed., West Academic: forthcoming).

[with Claude D. Rohwer & Anthony M. Skrocki], CONTRACTS IN A NUTSHELL (8th ed.: West Academic, 2017).

[with Claude D. Rohwer & Anthony M. Skrocki], CONTRACTS IN A NUTSHELL (9th

The Goals and Objectives of Law Schools in Their Primary Role of Educating Students – How Do We Actually Achieve Our Goals and Objectives?, 29 Penn St. Int'l L. Rev. 95, 103 n.31 (2010).

<sup>&</sup>lt;sup>18</sup> This book has been cited and quoted in Andrea J. Boyack, *Lessons in Price Stability from the U.S. Real Estate Market Collapse*, 2010 Mich. St. L. Rev. 925, 968 n.274, 977 n.339, 978 n.342 (2010) (quoting and discussing book in text and notes); Kojo Yelpaala, *Quo Vadis WTO? The Threat of TRIPS and the Biodiversity Convention to Human Health and Food Security*, 30 B.U. Int'l L.J. 55, 100 n.171 (2012) (discussing book in note).

<sup>&</sup>lt;sup>19</sup> Chinese language edition of Banking and Financial Institutions Law in a Nutshell (9<sup>th</sup> ed.), published by the Shanghai People's Publishing House for exclusive distribution in the People's Republic of China.

ed.: West Academic, forthcoming).

[Contributor], POLICY FRAMEWORK FOR SUSTAINABLE REAL ESTATE MARKETS (UN Economic Commission for Europe, rev. ed. 2019).

[with Rosa M. Lastra & Andy C.M. Chen], GLOBAL ISSUES IN FINANCIAL INSTITUTIONS LAW (West Academic: forthcoming).

BANKING IN THE TWENTY-FIRST CENTURY (Carolina Academic Press: forthcoming).

THE STRUCTURE OF ECONOMIC SANCTIONS (Cambridge University Press: forthcoming).

[with John H. Barton & Bart S. Fisher] INTERNATIONAL TRADE AND INVESTMENT (2d ed., Kluwer Law International: forthcoming).<sup>20</sup>

## **Articles & Reports**

Tobacco Amblyopia and Holmes, 26 BAKER STREET JOURNAL 94 (1976).

ANALYSIS OF POTENTIAL FEDERAL ECONOMIC ASSISTANCE UNDER THE COVENANT TO ESTABLISH A COMMONWEALTH OF THE NORTHERN MARIANA ISLANDS IN POLITICAL ASSOCIATION WITH THE UNITED STATES OF AMERICA (Institute of International Law & Economic Development: 1977).

On the Track of Moriarty: The Valley of Fear, 27 BAKER ST. J. 24 (1977). Notes on the Identity of Milverton's Murderer, 27 BAKER ST. J. 198 (1977).

[Reporter] Legal Implications of Recognition of the People's Republic of China, 1978 PROCEEDINGS OF THE AMERICAN SOCIETY OF INTERNATIONAL LAW 240 (1978).

[Editor] LEGAL-CONSTITUTIONAL ISSUES OF ASSOCIATED STATES (Inst. of Int'l L. & Econ. Developm't: 1978).

Objections to Adjudication in Contentious Cases before the International Court of Justice, 5 BROOKLYN JOURNAL OF INTERNATIONAL LAW 262 (1979).<sup>21</sup>

[Reporter] Multilateral Trade Negotiations, 1979 PROC. AM. SOC. INT'L L. 56 (1979).

[Reporter] Extraterritoriality: Conflict and Overlap in National and International Regulation, 1980 PROC. AM. SOC. INT'L L. 30 (1980).

\_

<sup>&</sup>lt;sup>20</sup> This book has been cited in Michael Muse-Fisher, Comment, *CAFTA-DR* and the Iterative Process of Bilateral Investment Treaty Making: Towards a United States Takings Framework for Analyzing International Expropriation Claims, 19 Pac. McGeorge Global Bus. & Dev. L.J. 495, 503 n.40 (2007) (citing and discussing text in advance of its publication).

<sup>&</sup>lt;sup>21</sup> This article has been cited and quoted in Douglas J. Ende, Comment, *Reaccepting the Compulsory Jurisdiction of the International Court of Justice: A Proposal for a New United States Declaration*, 61 Wash. L. Rev. 1145, 1160 n.102, 1161 n.109, 1176 n.203 (1986); Megan L. Wagner, Comment, *Jurisdiction by Estoppel in the International Court of Justice*, 74 Calif. L. Rev. 1777, 1801 n.153 (1986); Jonathan I. Charney, *Compromissory Clauses and the Jurisdiction of the International Court of Justice*, 81 Am. J. Int'l L. 855, 870 n.48 (1987).

Embargo Programs of the United States Treasury Department, 20 COLUMBIA JOURNAL OF TRANSNATIONAL LAW 485 (1981).<sup>22</sup>

The Impact of U.S. Control of Foreign Assets on Refugees and Expatriates, 1982 MICHIGAN YEARBOOK OF INTERNATIONAL LEGAL STUDIES 399.

[with J.T. Pitts] Post-Mortem on Retail Repurchase Agreements: Where were the Regulators? 3 ANNUAL REVIEW OF BANKING LAW 89 (1984).

The Iran Crisis: Law Under Pressure, 1984 WISCONSIN INTERNATIONAL LAW JOURNAL 15 (1984).<sup>23</sup>

Developments at the International Court of Justice: Provisional Measures and Jurisdiction in the Nicaragua Case, 6 JOURNAL OF INTERNATIONAL & COMPARATIVE LAW 55 (1984).<sup>24</sup>

An Analysis of the Jurisprudence of the International Court of Justice in Cases concerning Boundaries, 14 THESAURUS ACROASIUM 271 (Thessaloniki, Greece: Institute of International Public Law and International Relations, 1985).

[Chair & Panelist] Remarks in Are the U.S. Treasury's Asset Control Regulations a Fair and Effective Tool of U.S. Foreign Policy? The Case of Cuba, 1985 PROC. AM. SOC. INT'L L. 169.<sup>25</sup>

<sup>&</sup>lt;sup>22</sup> This article has been cited and quoted in *American Airways Charters, Inc.* v. *Regan*, 746 F.2d 865, 871 (D.C.Cir. 1984), as well as in U.S. Government briefs before, *inter alia*, the D.C. Circuit, *see American Airways Charters* v. *Regan*, No. 83-1860, Brief for Appellees, at 5-6, 17, and the U.S. Supreme Court, *see Regan* v. *Wald*, No. 83-436, Brief for Petitioners, at 31. It has been cited and quoted throughout Thompson, *United States Jurisdiction over Foreign Subsidiaries: Corporate and International Law Aspects*, 15 L. & Pol. Int'l Bus. 319 (1983), and cited in Cindy G. Buys, *United States Economic Sanctions: The Fairness of Targeting Persons from Third Countries*, 17 B.U. Int'l L.J. 241, 243 n.10, 258 n.93 (1999); Jason Collins Weida, *Reaching Multinational Corporations: A New Model for Drafting Effective Economic Sanctions*, 30 Vt. L. Rev. 303, 314 n.61 (2006) (discussing article).

<sup>&</sup>lt;sup>23</sup> This article has been cited in Barry E. Carter, International Economic Sanctions 198 n.69, 277 (Cambridge University Press: 1988); Peter L. Fitzgerald, "If Property Rights were Treated like Human Rights, They Could Never Get Away with This": Blacklisting and Due Process in U.S. Economic Sanctions Programs, 51 Hastings L.J. 73, 112 n.201 (1999); Nina J. Crimm, High Alert: The Government's War on the Financing of Terrorism and Its Implications for Donors, Domestic Charitable Organizations, and Global Philanthropy, 45 Wm. & Mary L. Rev. 1341, 1361 n.56 (2004); Thomas E. Carbonneau, Commercial Peace and Political Competition in the Crosshairs of International Arbitration, 18 Duke J. Comp. & Int'l L. 311, 313 n.8 (2008); Paul L. Lee, Compliance Lessons from OFAC Case Studies – Part I, 131 Banking L.J. 657, 665 n.27 (2014) (quoting article in text; discussing in note); Natalie Klein, Iran and Its Encounters with the International Court of Justice, 21 Melbourne J. Int'l L. 620, 630 n.76, 631 n.85 (2021) (citing article in support of discussion of United States Diplomatic and Consular Staff in Tehran case).

<sup>&</sup>lt;sup>24</sup> This article has been cited in Douglas J. Ende, Comment, *Reaccepting the Compulsory Jurisdiction of the International Court of Justice: A Proposal for a New United States Declaration*, 61 Wash. L. Rev. 1145, 1160 n.102 (1986).

<sup>&</sup>lt;sup>25</sup> This work is cited in Maria L. Pagan, *U.S. Legal Requirements Affecting Trade with Cuba*, 7 Pace Int'l L. Rev. 485, 489 n.32 (1995); Bethany Kohl Hipp, Comment, *Defending Expanded Presidential Authority to Regulate Foreign Assets and Transactions*, 17 Emory Int'l L. Rev. 1311, 1335 n.127, 1337 n.136, 1338 n.137, 1339 n.153 (2003) (citing and quoting remarks); Hannah Tucker Warren. Comment. *The New Cold War: A Novel Regulatory Takings Theory on Economic Sanctions* 

State Change-in-Bank-Control Statutes: Does MITE Make Light of Recent Trends?, 5 ANN. REV. BANKING L. 29 (1986).<sup>26</sup>

Nonbanks and Nondefinitions: New Challenges in Bank Regulatory Policy, 10 SETON HALL LEGISLATIVE JOURNAL 1 (1986), reprinted in 3 BANKING LAW ANTHOLOGY 531 (1986-87).<sup>27</sup>

[Chair & Panelist] *Remarks* in *Expanding Uses of Presidential Economic Emergency Power*, 1986 PROC. AM. SOC. INT'L L. 190.<sup>28</sup>

The Regulation of Bank Brokerage Activities: Was Rule 3b-9 Benign? 6 ANN. REV. BANKING L. 181 (1987).<sup>29</sup>

FINAL REPORT: ADJUDICATION PRACTICES AND PROCEDURES OF THE FEDERAL BANK REGULATORY AGENCIES (Administrative Conference of the United States, 1987).<sup>30</sup>

U.S. International Banking and the New Capital Adequacy Requirements: New, Old and Unexpected, 7 ANN. REV.BANKING L. 75 (1988).<sup>31</sup>

Against Exploration and Production in Russia, 39 Houston J. Int'l L. 461, 482 n.137 (2017).

<sup>26</sup> This article has been cited in Mark B. Greenlee & Brian P. Knestout, *Acquisition of Control of a State Member Bank, Bank Holding Company, or Savings and Loan Holding Company Pursuant to the Change In Bank Control Act*, 38 Rev. Banking & Fin. L. 209, 239 n.138 (2018).

<sup>27</sup> This article has been cited and quoted in Mary Jo Wetmore, Note, *Banking and Commerce: Are They Different? Should They Be Separated?*, 57 Geo. Wash. L. Rev. 994, 1004 nn.67, 70, 1006 n.82, 1007 n.91 (1989). It has also been cited in Alfred C. Aman, Jr., *Bargaining for Justice: An Examination of the Use and Limits of Conditions by the Federal Reserve Board*, 74 Iowa L. Rev. 837, 869 n.147 (1989); Bruce L. Rockwood, *Interstate Banking and Nonbanking in America: A New Recipe for an Old Prescription or Why Does the Elephant Banker Wear Tennis Shoes and Water Wings, and Carry an Economist Pocket Diary?*, 12 Seton Hall Legis. J. 137, 159 nn.98, 101 (1989); Tim McCarthy, Note, *Refining Product Market Definition in the Antitrust Analysis of Bank Mergers*, 46 Duke L.J. 865, 882 n.95 (1997); Raymond A. Guenter, *Bank Insurance Powers -- Yesterday, Today and Tomorrow*, 17 Ann. Rev. Banking L. 351, 356 n. 21 (1998).

<sup>28</sup> These remarks are cited and quoted in Jason Luong, Note, *Forcing Constraint: The Case for Amending the International Emergency Economic Powers Act*, 78 Tex. L. Rev. 1181, 1188 n.56, 1191 n.70, 1193 n.83 (2000).

<sup>29</sup> This article has been cited in A. J. Herbert, III, Comment, *Requiem on the Glass-Steagall Act: Tracing the Evolution and Current Status of Bank Involvement in Brokerage Activities*, 63 Tul. L. Rev. 157, 179 n.166, 188 n.230 (1988).

<sup>30</sup> This report has been cited with approval in FDIC Rulemaking, 53 Fed. Reg. 51,656, 51,659 (1988) (codified at 12 C.F.R. pt. 308), reprinted in [1988-1989 Transfer Binder] Fed. Banking L. Rep. (CCH) ¶ 87,536 (December 30, 1988), at 94,456. It has also been cited in Lawrence G. Baxter, Life in the Administrative Track: Administrative Adjudication of Claims against Savings Institution Receivers, 1988 Duke L.J. 422, 537 n.771 (1988); Ann C. Hodges, Dispute Resolution Under the Americans with Disabilities Act: A Report to the Administrative Conference of the United States, 9 Admin. L.J. Am. U. 1007, 1040 n.222 (1996).

<sup>31</sup> This article has been cited in William A. Lovett, *Moral Hazard, Bank Supervision and Risk-Based Capital Requirements*, 49 Ohio St. L.J. 1365, 1368 n.11, 1382 n.57, 1392 n.86 (1989); Raj Bhala, *Equilibrium Theory, the FICAS Model, and International Banking Law*, 38 Harv. Int'l L.J. 1, 6 n.19 (1997); Stephen A. Fowler, Note, *The Monetary Fifth Column: The Eurodollar Threat to Financial Stability and Economic Sovereignty*, 47 Vand. J. Transnat'l L. 825, 844 n.141 (2014); Lev Menand, *Too Big to Supervise: The Rise of Financial Conglomerates and the Decline of Discretionary* 

Balancing Public Confidence and Confidentiality: Adjudication Practices and Procedures of the Federal Bank Regulatory Agencies, 61 TEMPLE LAW REVIEW 723 (1988), reprinted in 4 BANKING L. ANTH. 631 (1988).<sup>32</sup>

[Chair & Panelist] Remarks in Internationalization of the Securities Markets, 1988 PROC. AM. SOC. INT'L L. 292 (1990).

U.S. International Banking and Treasury's Foreign Assets Controls: Springing Traps for the Unwary, 8 ANN. REV. BANKING L. 181 (1989).<sup>33</sup>

Depository Institutions Regulators in G. J. EDLES & J. NELSON, FEDERAL REGULATORY PROCESS: AGENCY PRACTICES AND PROCEDURES (Prentice Hall Law & Business, 2d ed., 1989).

[Cochair & Panelist] Remarks in Global Trading in Financial Instruments, 1989 PROC. AM. SOC. INT'L L. 37 (1990).

Nothing to Fear but FIRREA Itself: Revising and Reshaping the Enforcement Process of Federal Bank Regulation, 50 OHIO STATE LAW JOURNAL 1117 (1989).<sup>34</sup>

Oversight in Banking, 103 Cornell L. Rev. 1527, 1561 n.146 (2018).

<sup>32</sup> This article has been cited in Helen A. Garten, *Regulatory Growing Pains: A Perspective on Bank Regulation in a Deregulatory Age*, 57 Fordham L. Rev. 501, 574 n.394 (1989); James F. Groth, Comment, *Can Regulators Force Bank Holding Companies to Bail Out Their Failing Subsidiaries?* — *An Analysis of the Federal Reserve Board's Source-of-Strength Doctrine*, 86 Nw. U.L. Rev. 112, 114 n.10, 129 n.118 (1991); David B. Fischer, Comment, *Bank Director Liability under FIRREA: A New Defense for Directors and Officers of Insolvent Depository Institutions — Or a Tighter Noose?*, 39 U.C.L.A. L. Rev. 1703, 1735 n.119, 1787 n.347 (1992); Christian A. Johnson, *Wild Card Statutes, Parity, and National Banks — The Renascence of State Banking Powers*, 26 Loy. U. Chi. L.J. 351, 356, n.25, 396 n.260 (1995); David Zaring, *International Law by Other Means: The Twilight Existence of International Financial Regulatory Organizations*, 33 Tex. Int'l L.J. 281, 322 n. 289 (1998); Jorge J. Pozo, *Bank Holiday: The Constitutionality of President Mahuad's Freezing of Accounts and the Closing of Ecuadors Banks*, 15 N.Y. Int'l L. Rev. 61, 81 n.113 (2002).

<sup>33</sup> This article has been cited in Paul L. Lee, *Compliance Lessons from OFAC Case Studies – Part I*, 131 Banking L.J. 657, 666 n.29 (2014); David Restrepo Amariles & Matteo M. Winkler, *U.S. Economic Sanctions and the Corporate Compliance of Foreign Banks*, 51 Int'l Law. 497, 499 nn.12-13 (2018) (citing and quoting article in text).

<sup>34</sup> This article has been cited in *Carteret Sav. Bank* v. *Office of Thrift Supervision*, 963 F.2d 567, 580 (3d Cir. 1992); Praxis Properties, Inc. v. Colonial Sav. Bank, 947 F.2d 49, 62 (3d Cir. 1991). It has also been cited in Edward L. Rubin, The Concept of Law and the New Public Law Scholarship, 89 Mich. L. Rev. 792, 821 n.77 (1991); Lawrence G. Baxter, Judicial Responses to the Recent Enforcement Activities of the Federal Banking Regulators, 59 Fordham L. Rev. S193, S202-S203 nn. 51, 58 (Annual Survey Issue 1991); James F. Groth, Comment, Can Regulators Force Bank Holding Companies to Bail Out Their Failing Subsidiaries? -- An Analysis of the Federal Reserve Board's Source-of-Strength Doctrine, 86 Nw. U.L. Rev. 112, 113 n.2, 132 n.131 (1991); Cheryl D. Block, Overt and Covert Bailouts: Developing a Public Bailout Policy, 67 Ind. L.J. 951, 965 n.48 (1992); David B. Fischer, Comment, Bank Director Liability under FIRREA: A New Defense for Directors and Officers of Insolvent Depository Institutions -- Or a Tighter Noose?, 39 U.C.L.A. L. Rev. 1703, 1742 n.151 (1992); Carl Felsenfeld, The Bank Holding Company Act: Has It Lived its Life?, 38 Vill. L. Rev. 1, 91 n. 467 (1993); Dan Christensen, Note, An Equitable Approach to Applying the Attorney- Client Privilege to Defunct Lenders, 19 J. Corp. L. 69, 88 n.163 (1993); Norma Hildenbrand, D&O Liability: Expansion Via Regulation, 111 Banking L.J. 365, 366 n.4, 384 n.115 (1994); Christopher Tyson Gorman, Note, Liability of Directors and Officers under FIRREA: The

Public Disclosure as a Tool of Federal Bank Regulation, 9 ANN. REV. BANKING L. 229 (1990).<sup>35</sup>

[Chair & Panelist] *Remarks in Effects and Effectiveness of Economic Sanctions*, 1990 PROC. AM. SOC. INT'L L. 203.<sup>36</sup>

The Iraqi Sanctions: Something Old, Something New, 15 SOUTHERN ILLINOIS UNIVERSITY LAW JOURNAL 413 (1991).<sup>37</sup>

The 12(i)'ed Monster: Administration of the Securities Exchange Act of 1934 by the Federal Bank Regulatory Agencies, 19 HOFSTRA LAW REVIEW 269 (1991), reprinted in, 1992 SECURITIES LAW REVIEW.<sup>38</sup>

Uncertain Standard of ' 1821(k) and the Need for Congressional Reform, 83 KY. L.J. 653, 657 n.37 (1994-1995); Daniel N. Zinman, Note, Diamond is the RTC's Best Friend: Federal Preemption and the Balance of the Term of Rent Regulated Leases in Resolution Trust Corporation v. Diamond, 22. Fordham Urb. L. J. 1295, 1302 n.59 (1995); Edgar Class, Note, The Precarious Position of the Federal Deposit Insurance Corporation after O'Melveny & Myers v. FDIC, 9 Admin. L.J. Am. U. 373, 389 n.87 (1995); Tracy A. Helmer, Note, Banking on Solvency: The Takings Power of FIRREA's Cross-Guarantee Provision, 30 Val. U. L. Rev. 223, 223 n. 4, 225 n. 12 (1995); Steven A. Ramirez, The Chaos of 12 U.S.C. Section 1821(k): Congressional Subsidizing of Negligent Bank Directors and Officers?, 65 Ford- ham L. Rev. 625, 659 n.189 (1996); Raj Bhala, Equilibrium Theory, the FICAS Model, and International Banking Law, 38 Harv. Int'l L.J. 1, 21 n.87 (1997); Melinda M. Ward, Comment, FIRREA -- Finally Resolved? U. Mo. KC L. Rev. 407, 411 n.25 (1998); Douglas C. Michael, Self-Regulation for Safety and Security: Final Minutes or Finest Hour?, 36 Seton Hall L. Rev. 1075, 1118 n.228 (2006); James Fanto, Paternalistic Regulation of Public Company Management: Lessons from Bank Regulation. 58 Fla. L. Rev. 859, 882, n.113 (2006); Chervl D. Block. Measuring the True Cost of Government Bailout, 88 Wash, U. L. Rev. 149, 169 n.81 (2010); Wulf A. Kaal, Dynamic Regulation of the Financial Services Industry, 48 Wake Forest L. Rev. 791, 807 nn.52- 53 (2013); Nan S. Ellis, Steven B. Dow & David Safavian, Use of FIRREA to Impose Liability in the Wake of the Global Financial Crisis: A New Weapon in the Arsenal to Prevent Financial Fraud, 18 U. Pa. J. Bus. L. 119, 130 n.51 (2015); Michael Patrick Wilt, Evaluating "Consumer Relief" Payments in Recent Bank Settlement Agreements, 17 J. Bus. & Sec. L. 253, 293 n.173 (2017).

<sup>35</sup> This article has been cited in Fred Galves, *Might Does Not Make Right: The Call for Reform of the Federal Government's D'Oench, Duhme and 12 U.S.C. § 1823(e) Superpowers in Failed Bank Litigation*, 80 Minn. L. Rev. 1323, 1406 n.377 (1996) (citing and quoting article); Raj Bhala, *Equilibrium Theory, the FICAS Model, and International Banking Law*, 38 Harv. Int'l L.J. 1, 5 n.218 (1997); Heidi Mandanis Schooner, *Regulating Risk not Function*, 66 U. Cin. L. Rev. 441, 472 nn. 192, 194 (1998); Mehrsa Baradaran, *Regulation by Hypothetical*, 67 Vand. L. Rev. 1247, 1263 nn.57-58 (2014) (quoting article in footnotes).

<sup>36</sup> These remarks were cited in Patricia Stirling, *The Use of Trade Sanctions as an Enforcement Mechanism for Basic Human Rights: A Proposal for Addition to the World Trade Organization*, 11 Am. U. J. Int'l L. & Pol'y 1, 44 n.289 (1996); Mark A. Chinen, *Presidential Certifications in U.S. Foreign Policy Legislation*, 31 N.Y.U. J. Int'l L. & Pol. 217, 265 n.179 (1999); Wesley A. Cann, Jr., *Creating Standards and Accountability for the Use of the WTO Security Exception: Reducing the Role of Power-Based Relations and Establishing a New Balance Between Sovereignty and Multilateralism, 26 Yale J. Int'l L. 413, 427 n.82, 448 nn.230-231 (2001).* 

<sup>37</sup> This article has been cited in Nina J. Crimm, *High Alert: The Government's War on the Financing of Terrorism and Its Implications for Donors, Domestic Charitable Organizations, and Global Philanthropy*, 45 Wm. & Mary L. Rev. 1341, 1361 n.57 (2004).

<sup>38</sup> This article has been cited in Peter P. Swire, *Bank Insolvency Law now that It Matters Again*, 42 Duke L.J. 469, 515 n.174 (1992); Dennis E. Curtis, *Old Knights and New Champions: Kaye*,

Seeing the Light: Savings Associations Conversions and Regulatory Realignment, 10 ANN. REV. BANKING L. 189 (1991).

Between Iraq and a Hard Place: U.S. International Banking and the Iraqi Sanctions, 11 ANN. REV.BANKING L. 375 (1992).<sup>39</sup>

Bumper Cars: Themes of Convergence in International Regulation, 60 FORDHAM LAW REVIEW S1 (Survey Issue 1992).<sup>40</sup>

FINAL REPORT: ADMINISTRATION OF THE SECURITIES EXCHANGE ACT OF 1934 BY THE FEDERAL BANK REGULATORY AGENCIES (Administrative Conference

Scholer, the Office of Thrift Supervision, and the Pursuit of the Dollar, 66 S. Cal. L. Rev. 985, 991 n.22 (1993); Frederick W. Gerkens, Note, Opportunities for Regulatory Arbitrage Under the European Economic Community's Financial Services Directives and Related United States Regulations, 16 N.Y.L. Sch. J. Int'l & Comp. L. 455, 484 n.224 (1996); Raj Bhala, Equilibrium Theory, the FICAS Model, and International Banking Law, 38 Harv. Int'l L.J. 1, 55 n.218 (1997); Heidi Mandanis Schooner, Regulating Risk not Function, 66 U. Cin. L. Rev. 441, 449 n.48, 472 nn. 191, 193 (1998); Keith Bradley, The Design of Agency Interactions, 111 Colum. L. Rev. 745, 751 n.26 (2011) (citing and discussing article in note); Robert P. Bartlett, III, Making Banks Transparent, 65 Vand. L. Rev. 293, 307 n.51, 308 n.53 (2012) (citing and discussing article extensively).

<sup>39</sup> Cf. David Seligman, Between Iraq and a Hard Place: Letter of Credit Litigation Following the Gulf War, 6 U. Miami Bus. L.J. 143, 145 nn.4, 8, 12, 146 n.14 (1997) (citing ECONOMIC SANCTIONS AND U.S. TRADE, *supra*).

<sup>40</sup> This article has been cited in Joel R. Reidenberg, The Privacy Obstacle Course: Hurdling Barriers to Transnational Financial Services. 60 Fordham L. Rev. S137. S138 nn.1-2 (Survey Issue 1992): Leslie A. Goldman. Note. The Modernization of the French Securities Markets: Making the EEC Connection, 60 Fordham L. Rev. S227, S252 n.239 (Survey Issue 1992); Nicole J. Ramsay. Note, Japanese Securities Regulation: Problems of Enforcement, 60 Fordham L. Rev. S255, S277 n.210 (Survey Issue 1992); Daniel M. Laifer, Note, Putting the Super Back in the Supervision of International Banking, Post-BCCI, 60 Fordham L. Rev. S467, S490 n.149 (Survey Issue 1992); Frank S. Shyn, Internationalization of the Commodities Market: Convergence of Regulatory Activity, 9 Am. U. J. Int'l L. & Pol'y 597, 641 n. 265, 653 n. 330 (1994); RAJ K. BHALA, FOREIGN BANK REGULATION AFTER BCCI 204 n.5 (1994); Susanna V. Pullen, Comment, United States Foreign Banking and Investment Opportunities: Branching Out to the Russian Federation, 8 Transnat'l Law. 159, nn.28-29 (1995); Lawrence M. Friedman, Borders: On the Emerging Sociology of Transnational Law, 32 Stan. J. Int'l L. 65, 76 n.44 (1996); David Zaring, International Law by Other Means: The Twilight Existence of International Financial Regulatory Organizations, 33 Tex. Int'l L.J. 281, 284 n. 18 (1998); Bryan L. Walser, Shared Technical Decisionmaking and the Disaggregation of Sovereignty: International Regulatory Policy, Expert Communities, and the Multinational Pharmaceutical Industry, 72 Tul. L. Rev. 1597, 1641 & n. 220 (1998); Holly C. Fontana, Comment, Securities on the Internet: World Wide Opportunity or Web of Deceit? 29 U. Miami Inter-Am. L. Rev. 297, 324 n. 194, 326 n. 210 (1998); Sungjoon Cho, Breaking the Barrier Between Regionalism and Multilateralism: A New Perspective on Trade Regionalism, 42 Harv. Int-l L.J. 419, 433 n.89 (2001) (citing and discussing article); Rafael Efrat, Global Trends in Personal Bankruptcy, 76 Am. Bankruptcy L.J. 81, 109 n.133 (2002); Sungjoon Cho, A Bridge Too Far: The Fall of the Fifth WTO Ministerial Conference in Cancún and the Future of Trade Constitution, 7 J. Int'l Econ. L. 219, 238 n.116 (2004); Sungjoon Cho, Defragmenting World Trade, 27 Nw. J. Int'l L. & Bus. 39, 68 n.152 (2006) (citing and quoting article); Sungioon Cho, Global Integration and the Complete Public Goods, 8 Chi. J. Int'l L. 553, 561& n.36 (2008) (quoting article in text); Sungjoon Cho & Claire R. Kelly, *Promises* and Perils of New Global Governance: A Case of the G20, 12 Chi. J. Int'l L. 491, 514 n.86 (2012) (citing and discussing article at length).

of the United States, 1992).41

Can 10b-5 for the Banks? The Effect of an Antifraud Rule on the Regulation of Banks, 61 FORDHAM L. REV. S23 (Survey Issue 1993), reprinted in 8 BANKING L. ANTH. 257 (1994).<sup>42</sup>

Shifting Paradigms: Institutional Roles in a Changing World, 62 FORDHAM L. REV. 1911 (1994).<sup>43</sup>

Double, Double Toil and Trouble: Bank Regulatory Policy at Mid-Decade, 63 FORD-HAM REV. 2031 (1995), reprinted in 9 BANKING L. ANTH. 269 (1995).<sup>44</sup>

Written Statement of Views on D'Oench, Duhme (Testimony before the Subcommittee on Oversight of Government Management of the Senate Committee on Governmental Affairs, January 31, 1995).<sup>45</sup>

<sup>&</sup>lt;sup>41</sup> This work is cited in Roy A. Schotland, *Re-Examining the Freedom of Information Act's Exemption 8: Does It Give an Unduly "Full Service" Exemption for Bank Examination Reports and Related Material?*, 9 Admin. L.J. Am. U. 43, 95-96 nn.214, 216-220 (1995) (citing Report extensively and discussing in text).

<sup>&</sup>lt;sup>42</sup> This article has been abstracted in 7 Digest for Corporate & Securities Lawyers 1 (October 1993). The article has been cited by Heidi Mandanis Schooner, *Regulating Risk not Function*, 66 U. Cin. L. Rev. 441, 456 n. 116 (1998); Adam J. Krippel, Note, *Regulatory Overhaul of the OTC Derivatives Market: The Costs, Risks and Politics*, 6 Ohio St. Entrep. Bus. L.J. 269, - n.120 (2011) (quoting article in text).

<sup>&</sup>lt;sup>43</sup> This article has been cited in John Linarelli, *The European Bank for Reconstruction and Development: Legal and Policy Issues*, 18 B.C. Int'l & Comp. L. Rev. 361, nn.177, 203 (1995); John Linarelli, *The European Bank for Reconstruction and Development and the Post-Cold War Era*, 16 U. Pa. J. Int'l Bus. L. 373, --- n.7 (1995); Joseph A. Wilson, Note, *Section 102 of the Uruguay Round Agreements Act: "Preserving" State Sovereignty*, 6 Minn. J. Global Trade 401, 425 n.146 (1997); John D. Ciorciari, *A Prospective Enlargement of the Roles of the Bretton Woods Financial Institutions in International Peace Operations*, 22 Fordham Int'l L.J. 292, 297 n.26, 298 n.32, 302 n.48, 303 n.49 (1998) (citing and quoting article); Jeremy J. Sanders, *The World Bank and the IMF: Fostering Growth in the Global Market*, 9 Currents: Int'l Trade L.J. 37, 37 nn.20-27, nn.29- 45, nn.158-160 (2000) (citing and quoting article); Arash S. Arabi, *Renegotiating Third World Debt*, 3 Pepp. Disp. Resol. L.J. 251, --- nn. 55, 57 (2003); Eric R. Reed, Note, *Descent into Authoritarianism: Barriers to Constitutional Rule in Belarus*, 28 Hastings Int'l & Comp. L. Rev. 147, 148 n.3 (2004); Olufunmilayo B. Arewa, *Trips and Traditional Knowledge: Local Communities, Local Knowledge, and Global Intellectual Property Frameworks*, 10 Marq. Intell. Prop. L. Rev. 155, 157 n.9 (2006).

<sup>&</sup>lt;sup>44</sup> This article is cited in James L. Baker, Comment, *The Texas Homestead Exemption's Near Ban on Home Equity Lending: It's Time for the People to Decide*, 33 Houston L. Rev. 239, 242 n.16 (1996); Carl Felsenfeld & Genci Bilali, *Is There a Dual Banking System?* 2 J. Bus. Entrepreneurship & L. 30, 75 n.421 (2008); John W. Head, *The Global Financial Crisis of 2008-2009 in Context: Reflections on International Legal and Institutional Failings, "Fixes," and Fundamentals*, 23 Pac. McGeorge Global Bus. & Dev. L.J. 43, 84 n.120 (2010); Dain C. Donelson & David Zaring, *Requiem for a Regulator: the Office of Thrift Supervision's Performance During the Financial Crisis*, 89 N.C. L. REV. 1777, 1779 n.6 (2011) (discussing article).

<sup>&</sup>lt;sup>45</sup> This testimony has been cited in Fred Galves, *Might Does Not Make Right: The Call for Reform of the Federal Government's D'Oench, Duhme and 12 U.S.C. § 1823(e) Superpowers in Failed Bank Litigation*, 80 Minn. L. Rev. 1323, 1345 n.91, 1355 n.140 (1996).

Economic Sanctions and Retention of Counsel, 9 ADMINISTRATIVE LAW JOURNAL OF THE AMERICAN UNIVERSITY 515 (1995).<sup>46</sup>

U.S. International Banking Policy: Prospects and Problems in a New Millennium, 15 ANN. REV. BANKING L. 277 (1996). 47

The Sound of Two Hands Flapping: Insurance-Related Activities of National Banks, 41 ST. LOUIS UNIVERSITY LAW JOURNAL 75 (1996).<sup>48</sup>

<sup>46</sup> This article has been cited in Richard C. Reuben, Public Justice: Toward a State Action Theory of Alternative Dispute Resolution, 85 Cal. L. Rev. 577, 638 n.312 (1997); Richard C. Reuben, Constitutional Gravity: A Unitary Theory of Alternative Dispute Resolution and Public Civil Justice, 47 UCLA L. Rev. 949, 1079 n.635 (2000); Jorge J. Pozo, Bank Holiday: The Constitutionality of President Mahuad's Freezing of Accounts and the Closing of Ecuador's Banks, 15 N.Y. Intl L. Rev. 61, 76 n.87 (2002); Rudolph Lehrer, Comment, Unbalancing the Terrorists: Checkbook: Analysis of U.S. Policy in its Economic War on International Terrorism, 10 Tulane J. Int-l & Comp. L. 333, 340 nn. 50-53 (2002); Bethany Kohl Hipp, Comment, Defending Expanded Presidential Authority to Regulate Foreign Assets and Transactions, 17 Emory Int'l L. Rev. 1311, 1319 n.37 (2003); Carrie L. Folendorf, Breaking Terror's Bank Without Breaking the Law: A Comment on the USA PATRIOT Act and the United States Financial War on Terrorism, 23 J. Nat'l Assn Admin. L. Judges 481, 484 n.15, 485 n.20 (2003); Nina J. Crimm, High Alert: The Government's War on the Financing of Terrorism and Its Implications for Donors, Domestic Charitable Organizations, and Global Philanthropy, 45 Wm. & Mary L. Rev. 1341, 1354 n.25, 1355 nn.26, 29, 1356 n.33, 1360 n.50 (2004); Anoosha Boralessa, Enforcement in the United States and United Kingdom of ICSID Awards Against the Republic of Argentina: Obstacles that Transnational Corporations May Face, 17 N.Y. INT'L L. REV. 53, 100 n.239 (2004); Anne Beck & Sylvia Tonova, Current Development, No Legal Representation Without Governmental "Interposition", 17 Geo. J. Legal Ethics 597, 608 n.73 (2004) (discussing article); Jill M. Troxel, Note, Office of Foreign Assets Control Regulations: Making Attorneys Choose Between Compliance and the Attorney-Client Relationship, 24 Rev. Litig. 637, 638 n.2, 646 n.46, 656 n.116, 658 n.131 (2005); Danielle Stampley, Comment, Blocking Access to Assets: Compromising Civil Rights to Protect National Security or Unconstitutional Infringement on Due Process and the Right To Hire an Attorney? 57 Am. U. L. Rev. 683, 689 nn.27, 31 (2008) (citing and quoting article); Jason Boblick, Comment, A Consumer Protection Act?: Infringement of the Consumer Debtor's Due Process Rights under the Bankruptcy Abuse Prevention and Consumer Protection Act of 2005, 40 Ariz. St. L.J. 713, 735 n.169 (2008) (citing and quoting article); CarrieLyn Donigan Guymon, The Best Tool for the Job: The U.S. Campaign to Freeze Assets of Proliferators and Their Supporters, 49 Va. J. Int'l L. 849, 864 n.83 (2009); Ilya Podolyako, Nowhere to Hide: Overbreadth and Other Constitutional Challenges Facing the Cur- rent Designation Regime, 14 Tex. J. Civ. Lib. & Civ. Rgts. 193, 197 n.7, 227 n.193 (2009) (citing and discussing article in note); Julie Andersen Hill, Divide and Conquer: SEC Discipline of Litigation Attorneys, 22 Geo. J. Legal Ethics 373, 399 n.176 (2009) (citing and discussing article in note); Kian Arash Meshkat, The Burden of Economic Sanctions on Iranian-Americans, 44 Geo. J. Int'l L. 915, 919 n. 9, 921 nn. 23-24, 952 n. 209, 966 n. 285, 967 n. 286 (2013) (citing and quoting article in notes).

<sup>&</sup>lt;sup>47</sup> This article was cited in Thomas C. Baxter & Anita Ramasastry, *The Importance of Being Honest -- Lessons from an Era of Large-Scale Financial Fraud*, 41 St. Louis L.J. 93, 100 n.18 (1996).

<sup>&</sup>lt;sup>48</sup> See Keith R. Fisher, Orphan of Invention: Why the Gramm-Leach-Bliley Act was Unnecessary, 80 Or. L. Rev. 1301, 1347 n. 212 (2002) (citing and quoting article); Keith R. Fisher, Toward a Basal Tenth Amendment: A Riposte to National Bank Preemption of State Consumer Protection Laws, 29 Harv. J.L. & Pub. Pol'y 981, 999 n.89 (2006) (citing and quoting article); Saule T. Omarova. The Quiet Metamorphosis: How Derivatives Changed the "Business of Banking." 63 U. Miami

When You Wish Upon Winstar: Contract Analysis and the Future of Regulatory Action, 42 ST. LOUIS U. L.J. 409 (1998).<sup>49</sup>

Banking in the Twenty-First Century, 25 JOURNAL OF CORPORATION LAW 787 (2000).  $^{50}$ 

Functional Regulation: Premise or Pretext? in PATRICIA A. MCCOY (ed.), FINAN-CIAL MODERNIZATION AFTER GRAMM-LEACH-BLILEY (LexisNexis 2002).<sup>51</sup>

L. Rev. 1041, 1947 n.19, 1053 n.50 (2009) (citing and quoting article in text).

<sup>49</sup> This article has been cited in Jean O. Melious & Robert D. Thornton, Contractual Ecosystem Management under the Endangered Species Act: Can Federal Agencies Make Enforceable Commitments? 26 Ecology L.Q. 489, 522 n.153 (1999) (citing and quoting article); Bentzion S. Turin, Comment, Eastern Philosophy: A Constitutional Argument for Full Stranded Cost Recovery by Deregulated Electric Utilities, 36 Hous. L. Rev. 1411, 1456 n.368 (1999); Jody Freeman, The Private Role in Public Governance, 75 N.Y.U. L. Rev. 543, 669 n.521 (2000); Susan Rose-Ackerman & Jim Rossi, Disentangling Deregulatory Takings, 86 Va. L. Rev. 1435, ---- n.105 (2000); Kenneth Michael Theurer, Sharing the Burden: Allocating the Risk of CERCLA Cleanup Costs, 50 Air Force L. Rev. 65, 110 n.342, 112 n.356, 113 n.362 (2001) (citing and quoting article); Andrew Kull, Disgorgement for Breach, the "Restitution Interest," and the Restatement of Contracts, 79 Tex. L. Rev. 2021, 2025 n.13 (2001); Jim Chen, The Death of the Regulatory Compact: Adjusting Prices and Expectations in the Law of Regulated Industries, 67 Ohio St. L.J. 1265, 1331 n.464 (2006); James A. Bloom, Note, Plurality and Precedence: Judicial Reasoning, Lower Courts, and the Meaning of United States v. Winstar Corp., 85 Wash. U. L. Rev. 1373, 1382 n.48, 1385 n.71 (2008) (citing and quoting article); Steven L. Schooner & Pamela J. Kovacs, Affirmatively Inefficient Jurisprudence?: Confusing Contractors' Rights To Raise Affirmative Defenses With Sovereign Immunity, 21 Fed. Circuit B.J. 685, 708 n.195 (2012).

<sup>50</sup> This article has been cited in Katherine E. Howell-Best, Note, Universal Charter Options: Providing a Competitive Advantage for State Financial Institutions, 6 N.C. Banking Inst. 487, 487 nn.5-6 (2002); Arthur E. Wilmarth, The Transformation of the U.S. Financial Services Industry, 1975-2000: Competition, Consolidation, and Increased Risks, 2002 U. III. L. Rev. 215, 219 n. 1; Keith R. Fisher, Orphan of Invention: Why the Gramm-Leach-Biley Act was Unnecessary, 80 Or. L. Rev. 1301, 1402 n. 403 (2002) (quoting article in text); Carl Felsenfeld & Genci Bilali, Business Divisions from the Perspective of the U.S. Banking System, 3 Hous. Bus. & Tax. L.J. 66, 94 n.163, 109 n.264 (2003). John T. Soma, Stephen D. Rynerson & Britney D. Beall-Eder, An Analysis of the Use of Bilateral Agreements Between Transnational Trading Groups: The U.S./EU e-Commerce Privacy Safe Harbor, 39 Tex. Int'l L.J. 171, 186 nn.176, 178, 187 nn.188-189, 191 (2004); Collette N. Ross, Comment, Around the Corner but Still Out-of-state? Whether National Banks' Branches Destroy Diversity Jurisdiction, 52 Loy. L. Rev. 195, 208 n.73 (2006) (citing and quoting article); Pei-Kan Yang, The Legal Boundary of Bank Collective Investment Funds: Functional Regulation from the U.S. Perspective, 2 Nat'l Taiwan U. L. Rev. 111, 133 n.76 (2010) (citing and quoting article in note); Thomas Lee Hazen, Treatise on the Law of Securities Regulation 1.5[7] n.71, 22.6[1] n.2 (7 vols., 6th ed., Thomson West, 2009-2014); Yuliya Guseva, Destructive Collectivism: Dodd-Frank Coordination and Clearinghouses, 37 Cardozo L. Rev. 1693, 1697 n.4 (2016); James Si Zeng, Internal and External Shareholder Liability in the Financial Industry: A Comparative Approach, 37 Rev. Banking & Fin. L. 285, 310 n.131 (2017); Michael T. Fatale, Foreign Commerce Clause Discrimination: Revisiting Kraft After Wayfair, 72 Baylor L. Rev. 47, 52 n.32 (2020) (citing and quoting article).

<sup>51</sup> This article was cited in Elizabeth F. Brown, *E Pluribus Unum* – *Out of Many, One: Why the United States Needs a Single Financial Services Agency*, 14 U. Miami Bus. L. Rev. 1, 19 n.82 (2005): Kuan-Chun Chang. *From Zero to Something: The Necessity of Establishing a Regulatory* 

Capital Adequacy and Regulatory Objectives, 25 SUFFOLK TRANSNATIONAL LAW REVIEW 299 (2002).<sup>52</sup>

Financial Services Trends in the Twenty-First Century: Report on a Survey of the Membership of the AALS Section on Financial Institutions and Consumer Financial Services, 21 ANN. REV. BANKING L. 293 (2002).

Où est votre chapeau? *Economic Sanctions and Trade Regulation*, 4 CHICAGO JOURNAL OF INTERNATIONAL LAW 371 (2003). 53

Perspectives on Unfunding Terror, 17 TRANSNAT'L LAW. 97 (2004).54

Financial Services Regulation after NAFTA in KEVIN KENNEDY (ed.), THE FIRST DECADE OF NAFTA: THE FUTURE OF FREE TRADE IN NORTH AMERICA (Transnational Publishers, Inc., 2004).

International Project Finance: Risk Analysis and Regulatory Concerns, 18 TRANS-NAT'L LAW. 89 (2004).<sup>55</sup>

System of Financial Conglomerates in China, 11 Asian-Pac. L. & Pol'y J. 1, 48 n.270 (2010); Elizabeth F. Brown A Comparison of the Handling of the Financial Crisis in the United States, the United Kingdom, and Australia, 55 Vill. L. Rev. 509, --- n.202 (2010); Elizabeth F. Brown, Lessons From Efforts to Manage the Shift of Pensions to Defined Contribution Plans in the United States, Australia, and the United Kingdom, 53 Am. Bus. L.J. 315, 319 n.17 (2016).

<sup>52</sup> This article was cited in Keith R. Fisher, *In Rem Alternatives for Money Laundering*, 25 Loy. L.A. Int'l & Comp. L. Rev. 409, 430 n.89 (2003); Robert F. Weber, New Governance, Financial Regulation, and Challenges to Legitimacy: the Example of the Internal Models Approach to Capital Adequacy Regulation, 62 Admin. L. Rev. 783, C n.43 (2010) (quoting article in text); Robert F. Weber, *Structural Regulation as Antidote to Complexity Capture*, 49 Am. Bus. L.J. 643, 722 n.304 (2012) (quoting article in text); Mehrsa Baradaran, *Regulation by Hypothetical*, 67 Vand. L. Rev. 1247, 1268 n.80 (citing article).

53 This article is cited and quoted in Brief for the Appellees Office of Foreign Assets Control, *et al.*, *Clancy v. Office of Foreign Assets Control*, 2007 WL 4207629 (7th Cir. Nov. 19, 2007) at 35 n.7. See also Brief for the Appellees Office of Foreign Assets Control, *et al.*, *Clancy v. Office of Foreign Assets Control*, 2007 WL 4453976 (7th Cir. Dec. 10, 2007) at 36 n.7 (citing and quoting article). The article is cited in Andrew T. Guzman, *Food Fears: Health and Safety at the WTO*, 45 Va. J. Int'l L. 1, 36 n.137 (2004) (citing and quoting article); Philip M. Nichols, *Using Sociological Theories of Isomorphism to Evaluate the Possibility of Regime Change Through Trade Sanctions*, 30 U. Pa. J. Int'l L. 753, 767 & n.72 (2009) (citing and quoting article in text); Warren, Comment, *The New Cold War: A Novel Regulatory Takings Theory on Economic Sanctions Against Exploration and Production in Russia*, 39 Houston J. Int'l L. 461, 482 n.136 (2017); Mohamed S. Helal, *On Coercion in International Law*, 52 N.Y.U. J. Int'l L. & Pol. 1, 104 n.399 (2019) (citing and quoting article); Patrick C. R. Terry, *Enforcing U.S. Foreign Policy by Imposing Unilateral Secondary Sanctions: Is Might Right in Public International Law?*, 30 WASH. INT'L L.J. 1, 2 n.5, 3 n.14, 4 n.15, 5 n.28, 13 n.101 (2020) (citing and discussing article).

<sup>54</sup> This commentary is cited in Eric J. Gouvin, *Are There Any Checks and Balances on the Government's Power to Check Our Balances? The Fate of Financial Privacy in the War on Terrorism*, 14 Temp. Pol. & Civ. Rts. L. Rev. 517, 517 n.2, 524 n.48, 526 n.64, 525 nn.65-66 (2005); David Zaring & Elena Baylis, *Sending the Bureaucracy to War*, 92 IOWA L. REV. 1359, 1411 n.231 (2007).

(2007). 55 This article is cited in Mark J. Sundahl, *Iraq, Secured Transactions, and the Promise of Islamic Law*, 40 Vand. J. Transnat'l L. 1301, 1305 nn.9-10 (2007); Fleur Johns, *Performing Party Autonomy*, 71 Law & Contemp. Probs. 243, 263 n.94 (2008) (citing and quoting article); Diane A.

The Emerging International Regime of Financial Services Regulation, 18 TRANS-NAT'L LAW. 329 (2005).<sup>56</sup>

STUDY OF NEW U.S. UNILATERAL SANCTIONS, 1997-2006 (National Foreign Trade Council, 2006), *available at* http://www.usaengage.org/storage/usaengage/Publications/2006\_study\_of\_new\_%20us\_unilateral\_%20sanctions.pdf.<sup>57</sup>

[with others], Report Regarding the Pacific McGeorge Workshop on Globalizing the Law School Curriculum, 19 PACIFIC MCGEORGE GLOBAL BUSINESS & DEVELOP-MENT LAW JOURNAL 267 (2006). 58 [Formerly THE TRANSNATIONAL LAWYER.]

Capital Regulation and International Banking: A Questionable Strategy, in GREGO-RY T. PAPANIKOS (ed.), ESSAYS ON THE ECONOMICS OF LAW AND INDUSTRIAL ORGANIZATION 155 (Athens Institute for Education and Research, 2006).

Transfer Pricing Principles and Economic Development: The Taxman and a Changing Europe, in DAVID A. FRENKEL & CARSTEN GERNER-BEUERLE (eds.), SELECT-ED ESSAYS ON CURRENT LEGAL ISSUES 247 (Athens Inst. for Education & Research: 2008).

The Subprime Mortgage Crisis: An International and Regional Threat in Need of a Solution, in DAVID A. FRENKEL & CARSTEN GERNER-BEUERLE (eds.), CHALLENGES OF THE LAW IN A PERMEABLE WORLD 9 (Athens Inst. for Education & Research: 2009).

Encountering Antigone: Personal and Civic Duties and the Art of the Advocate, in DAVID A. FRENKEL (ed.), LEGAL THEORY, PRACTICE AND EDUCATION 71 (Athens Inst. for Education & Research: 2010).

Desierto, The Complexities of Democracy, Development, and Human Rights in China's Belt and Road Initiative, 35 Conn. J. Int'l L. 301, 322 n.103 (2020).

This article is cited in Robert Boudreau, *Developments in Banking and Financial Law: 2006-2007*, 26 Ann. Rev. Banking & Fin. L. 176, 176 nn.2, 4, 178 n.18 (2007); Steven R. Blau, *The Federal Reserve and European Central Bank as Lenders-of-Last-Resort: Different Needles in Their Compasses*, 21 N.Y. Int'l L. Rev. 39, 74 n.251 (2008); Joseph Windsor, *The WTO Committee on Trade in Financial Services: The Exercise of Public Authority Within an Informational Forum*, 9 German L.J. 1805, --- n.84 (2008) (citing and quoting article in note), *available at* http://www.germanlaw.journal.com/article.php?id=1043; Ross S. Delston & Stephen C. Walls, *Reaching Beyond Banks: How to Target Trade-based Money Laundering and Terrorist Financing Outside the Financial Sector*, 41 Case W. Res. J. Int'l L. 85, 92 nn.44-45, 47 (2009) (citing, quoting, and para-phrasing article in text and notes); Emilios Avgouleas, *Rationales and Designs to Implement an Institutional Big Bang in the Governance of Global Finance*, 36 Seattle U. L. Rev. 321, 328 n.12 (2013) (citing article).

<sup>57</sup> This study is cited in Amy Deen Westbrook, *What's in Your Portfolio? U.S. Investors Are Unknowingly Financing State Sponsors of Terrorism*, 59 DePaul L. Rev. 1151, 1162 n.61 (2010) (citing and discussing study); Roger P. Alford, *The Self-Judging WTO Security Exception*, 2011 Utah L. Rev. 697, 700 n.24 (dis- cussing study in text and note).

<sup>58</sup> This article is cited in Helen Hershkoff, *Integrating Transnational Legal Perspectives into the First Year Civil Procedure Curriculum*, 56 J. Legal Educ. 479, 479 n.2 (2006); Louis F. DelDuca, *Educating Our Students for What? The Goals and Objectives of Law Schools in Their Primary Role of Educating Students B How Do We Actually Achieve Our Goals and Objectives?*, 29 Penn St. Int'l L. Rev. 95, 103 n.31 (2010).

Zone Defense: The Euro Zone and the Crisis in Financial Services Markets, in DA-VID A. FRENKEL & CARSTEN GERNER-BEUERLE (eds.), FINANCIAL CRISIS, GLOB-ALISATION AND REGULATORY REFORM 9 (Athens Inst. for Education & Research: 2011). 59

The International Financial Crisis and Nation-Based "Prudential Regulation," in DA-VID A. FRENKEL & CARSTEN GERNER-BEUERLE (eds.), FINANCIAL CRISIS, GLOB-ALISATION AND REGULATORY REFORM 67 (Athens Inst. for Education & Research: 2012).

 $\acute{B}$ uilt to Scale: Small Business Policy and the Meltdown, 2012 MICHIGAN STATE LAW REVIEW 7. $^{60}$ 

Negotiating in a Ditch: Institutional Implications of the Sovereign Debt Crisis, 28 CONNECTICUT JOURNAL INTERNATIONAL LAW 1 (2012).<sup>61</sup>

Human Rights and Unintended Consequences: Empirical Analysis of International Economic Sanctions in Contemporary Practice, 31 BOSTON U. INTL L.J. 75 (2013). 62

Governing Foolishness: A Comparative Analysis of Executive Compensation Rules, in DAVID A. FRENKEL (ed.), ECONOMY AND COMMERCIAL LAW: SELECTED ISSUES 31 (Athens Inst. for Education & Research: 2013).

Core Principles for Effective Banking Supervision: New Concepts and Challenges, in DAVID A. FRENKEL (ed.), SELECTED LEGAL ISSUES IN ECONOMICS 11 (Athens Inst. for Education & Research: 2014).

There are no Bitcoins, only Bit Payers, in DAVID A. FRENKEL (ed.), SELECTED ISSUES IN PUBLIC PRIVATE LAW 13 (Athens Inst. for Education & Research: 2015).

Payment Systems and Harmonization, in CHRISTIAN CASCANTE, ANDREAS SPAHLINGER & STEPHAN WILSKE (eds.), GLOBAL WISDOM ON BUSINESS TRANSACTIONS, INTERNATIONAL LAW AND DISPUTE RESOLUTION: FEST-SCHRIFT FÜR GERHARD WEGEN 273-285 (2015).

Risk Management in Financial Services, in DAVID A. FRENKEL & ANNA CHRONOPOULOU (eds.), BUSINESS, ECONOMICS AND MERCANTILE LAW: SELECTED ISSUES 11 (Athens Inst. for Education & Research: 2016).

Utopia and the Law and Literature Movement, 48 U. PACIFIC L. REV. 1 (Symposium Issue 2016).

Encountering Utopia: Social Stresses and Responsibilities of the Lawyer in DAVID A. FRENKEL (ed.), ROLE OF LAW, HUMAN RIGHTS AND SOCIAL JUSTICE, JUSTICE

<sup>&</sup>lt;sup>59</sup> This article is cited in Derek Takehara, Comment, *Financial Reform in the European Union: Establishing the Common Technical Rulebook*, 26 Pac. McGeorge Global Bus. & Dev. L.J. 531, 532 n.8 (2013).

<sup>&</sup>lt;sup>60</sup> This article is cited in Brittany M. Pace, Note, *An Unanticipated Consequence: Will Dodd-Frank Drown Out Small Businesses?* 8 Ohio St. Entrepreneurial Bus. L.J. 159, 169 n.127, 173 n.168 (2013).

<sup>&</sup>lt;sup>61</sup> This article is cited in Cory Howard & Neil Jonas, "Under Pressure": Basel III's Capital Adequacy Requirements Squeeze Broker-Dealer Returns on Equity, Increase Need for the Imposition of Uniform Fiduciary Duties, 7 J. Marshall L.J. 1, 14 n.49 (2013); Jay Lawrence Westbrook, SIFIs and States, 49 Tex. Int'l L.J. 329, 340 n.67 (2014).

<sup>&</sup>lt;sup>62</sup> This article is cited in Scott Sullivan, *The Future of the Foreign Commerce Clause*, 83 Fordham L. Rev. 1955, 1976 n.135 (2015).

SYSTEMS, COMMERCE, AND LAW CURRICULUM: SELECTED ISSUES 13 (Athens Inst. for Education & Research: 2017).

Narrative Arcs and Simulations, 48 U. PACIFIC L. REV. 837 (2017).

Interdisciplinarity: Classic Crossover Cases and Effective Law Pedagogy, in DAVID A. FRENKEL (ed.), NEW CHALLENGES OF THE LAW IN A PERMEABLE WORLD 11 (Athens Inst. for Education & Research: 2019).

Distance Banking: Pandemic Responses of a Regulated Industry, in DAVID A. FRENKEL & ANNA CHRONOPOULOU (eds.), AN ANTHOLOGY OF LAW 15 (Athens Inst. for Education & Research: 2020).

The Emerging Regime of International Financial Services Regulation, 46 N.C. J. Int'l L. 439 (2021).

The Community Reinvestment Act and the Unbanked: No Stake to Hold Onto, 53 U. PAC. L. REV. 1 (2021).

Encountering the Mysteries of Law and Literature, in DAVID A. FRENKEL (ed.), A CONTEMPORARY ANTHOLOGY OF LAW 13 (Athens Inst. for Education & Research: 2022).

Contracts and Economic Sanctions, 53 U. PAC. L. REV. --- (forthcoming).

#### Dissertation

"Civil Authority in Medieval Philosophy: Selected Commentaries of Aquinas and Bonaventure." Ph.D. dissertation, Georgetown University, 1983.

#### **Translations**

Bruno Bauer, *The Genus and the Crowd*, 8 PHILOSOPHICAL FORUM 126 (1978). Bruno Bauer, *The Capacity of Present Day Jews and Christians to Become Free*, 8 PHIL. FORUM 135 (1978).

Bruno Bauer, *The Genus and the Crowd* [revised version], *in* L.S. STEPELEVICH (ed.), THE YOUNG HEGELIANS 198-205 (Cambridge University Press, 1983).

# Opuscula

- W. DESAN, THE PLANETARY MAN, reviewed in, 27 THE REVIEW OF METAPHYSICS 607 (1974).
- M. NATANSON, PHENOMENOLOGY, ROLE AND REASON, *reviewed in*, 28 REV. META.130 (1974).
  - J. GRÜNFELD. SCIENCE AND VALUES. reviewed in. 28 REV. META. 553 (1975).
  - L. ADDIS, THE LOGIC OF SOCIETY, reviewed in, 29 REV. META. 334 (1975).
- A. GIDDENS, POSITIVISM AND SOCIOLOGY, reviewed in, 29 REV. META. 341 (1975).

L. KATZNER, MAN IN CONFLICT: TRADITIONS IN SOCIAL AND POLITICAL THOUGHT, *reviewed in*, 29 REV. META. 549 (1976).

- S. HOOK, REVOLUTION, REFORM AND SOCIAL JUSTICE, reviewed in, 29 REV. META. 737 (1976).
- J. GRÜNFELD, SCIENCE AND VALUES, reviewed in, 10 JOURNAL OF VALUE IN-QUIRY 234 (1976).
- G. LODGE, THE NEW AMERICAN IDEOLOGY, reviewed in, 30 REV. META. 531 (1977).
- R. M. UNGER, KNOWLEDGE AND POLITICS, reviewed in, 30 REV. META. 537 (1977).
- M. KAPLAN, JUSTICE, HUMAN NATURE AND POLITICAL OBLIGATION, reviewed in, 31 REV. META. 118 (1977).
- M. A. ODLE, MULTINATIONAL BANKS AND UNDERDEVELOPMENT, reviewed in, 77 AMERICAN JOURNAL OF INTERNATIONAL LAW 390 (1983).
- D. CAMPBELL (ed.), TRANSNATIONAL LEGAL PRACTICE: A SURVEY OF SE-LECTED COUNTRIES, reviewed in, 77 AM. J. INT'L L. 705 (1983).
- P. D. REYNOLDS, CHINA'S INTERNATIONAL BANKING AND FINANCIAL SYSTEM, reviewed in, 78 AM. J. INT'L L. 718 (1984).

SECURITIES & EXCHANGE COMMISSION STAFF REPORT, INTERNATIONALIZATION OF THE SECURITIES MARKETS, reviewed in, 12 MARYLAND JOURNAL OF INTERNATIONAL LAW AND TRADE 103 (1987).

The Condominia of Morgan: A Family of Bankers and a Family of Banks, 60 FORD-HAM L. REV. 573 (1991) (review of R. CHERNOW, THE HOUSE OF MORGAN (1990)).

Foreword: . . . And Backward: Death and Transfiguration among the Savings Associations, 59 FORDHAM L. REV. S-1 (Survey Issue 1991). 63

Economic Sanctions and Human Rights: A Delicate Balance, 3 HUMAN RIGHTS BRIEF 12 (1995).<sup>64</sup>

A Word from the Chair, 9 BANKING L. ANTH. viii (1995).

DARA KHAMBATA, THE PRACTICE OF MULTINATIONAL BANKING: MACRO-POLICY ISSUES AND KEY INTERNATIONAL CONCEPTS (2d ed.) (1996), reviewed in, 9 THE TRANSNATIONAL LAWYER 483 (1996).

JOHN A. ADAMS, JR., MEXICAN BANKING AND INVESTMENT IN TRANSITION (1997), reviewed in, 10 TRANSNAT'L LAW. 305 (1997).

<sup>63</sup> This work is cited in Tracy A. Helmer, Note, *Banking on Solvency: The Takings Power of FIRREA's Cross-Guarantee Provision*, 30 Val. U. L. Rev. 223, 224 n. 7 (1995); Lawrence L. C. Lee, *The Basle Accords as Soft Law: Strengthening International Banking Supervision*, 39 Va. J. Int'l L. 1, 2 n.7 (1998); Douglas C. Michael, *Self-Regulation for Safety and Security: Final Minutes or Finest Hour?*, 36 Seton Hall L. Rev. 1075, 1117 n.222 (2006) (citing and quoting article); Carl Felsenfeld & Genci Bilali, *Is There a Dual Banking System?* 2 J. Bus. Entrepreneurship & L. 30, 53 n.216 (2008) (citing article); Bruce Miller, *The Place of Law in Ivan Illich's Vision of Social Transformation*, 34 W. New Eng. L. Rev. 507, 508 n.7 (2012) (citing article); Albert F. Tellechea & Michael J. Cortés, *Bank Frauds and Tracking the Hidden Assets*, 12 Fla. A & M U. L. Rev. 55, 60 n.38 (2016) (citing and discussing article).

<sup>&</sup>lt;sup>64</sup> This work is cited in Jessica Karbowski, Note, *Grocery Store Activism: A WTO Compliant Means to Incentivize Social Responsibility*, 49 Va. J. Int'l L. 727, 785 n.220 (2009).

The Many Faces of Economic Sanctions, 2 GLOBAL DIALOGUE 1 (2000).

Functional Regulation: New Paradigm or Cliche? www.thebankingchannel.com/regulatory/story.jsp (May 22, 2001).

Bank Regulators v. the SEC: Functional Litigation? www.thebankingchannel.com/regulatory/story.jsp (August 20, 2001).

As Events Overtake Us: The Terrorist Assets Freeze, www.thebankingchannel.com/features/printstory.jsp (October 2, 2001).

USA PATRIOT Act and Financial Services: The New Environment, www.thebankingchannel.com/features/printstory.jsp (January 10, 2002).

USA PATRIOT Act and Financial Services: Interpretive Issues, www.thebankingchannel.com/features/printstory.jsp (February 11, 2002).

USA PATRIOT Act and Financial Services: Administrative Implementation, www.the-bankingchannel.com/regulatory/story.jsp (March 13, 2002).

Current Issues in International Arbitration, 15 TRANSNAT'L LAW. 43 (2002).65

International Financial Services: An Agenda for the Twenty-First Century, 15 TRANS-NAT'L LAW. 55 (2002).<sup>66</sup>

National Favoritism: The Historical Underpinnings of the Current OCC Preemption Strategy, Prepared Statement Before a Joint Hearing of the Committee on Banking, Commerce and International Trade of the California State Senate and the Banking and Finance Committee of the California State Assembly (May 21, 2003).

The Spin Shess In, L.A. TIMES, June 11, 2003, at A13, col. 3 (Op-Ed article). 67

Community Development Banking and Financial Institutions Act of 1994, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

Glass-Steagall Act of 1933, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

International Emergency Economic Powers Act, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

National Bank Act, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

Loy. U. Chi. Int'l L. Rev. 73, 87 n.123 (2016) (citing article as to competition among countries and

<sup>65</sup> This work is cited in Kwang-Rok Kim, Settling Business Disputes with North Koreans in the Advent of the External Economic Arbitration Law, 16 Transnat'l Law. 401, 408 n.63 (2003); William S. Fiske, Comment, Should Small and Medium-Size American Businesses "Going Global" Use International Commercial Arbitration? 18 Transnat'l Law. 455, 476 n.187, 477 n.193, 478 nn.202, 209, 487 n.291 (2005) (citing and quoting article); Catherine A. Rogers, Transparency in International Commercial Arbitration, 54 U. Kan. L. Rev. 1301, 1314 n.48 (2006) (citing and quoting article); Robert Schur, Student Article, Keeping Dispute Resolution Costs Smaller Than Your Small Business: The Case for International Commercial Arbitration Under the New York Convention, 14

municipalities to be arbitration situs).

66 This article was cited in Carl Felsenfeld & Genci Bilali, *Business Divisions from the Perspective of the U.S. Banking System*, 3 HOUS. BUS. & TAX. L.J. 66, 94 n.165 (2003).

<sup>&</sup>lt;sup>67</sup> This article was cited and quoted in Joan MacLeod Heminway, *Save Martha Stewart? Observations About Equal Justice in U.S. Insider Trading Regulation*, 12 Tex. J. Women & L. 247, 248 n.2 (2003).

Tariff Act of 1789, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).<sup>68</sup>

Trading With the Enemy Act, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

United Nations Participation Act of 1945, in BRIAN K. LANDSBERG (ed.), MAJOR ACTS OF CONGRESS (New York: Macmillan Reference, 2003).

Luncheon Address: Was bedeutet "Terrorismus"? 17 TRANSNAT'L LAW. 39 (2004). Law Struggles to Keep Up with the Virtual World, THE EUROPEAN LAWYER 49 (Sept. 2004).

Towards a National Community: The CRA and the Contemporary Market, 29 W. NEW ENGLAND L. REV. 25 (2006).

Memorandum to the Select Committee on Economic Affairs of the House of Lords of the United Kingdom on the Impact of International Economic Sanctions (30 Sept. 2006), reprinted in II SELECT COMMITTEE ON ECONOMIC AFFAIRS, U.K. HOUSE OF LORDS, THE IMPACT OF ECONOMIC SANCTIONS 158 (2007).

The Subprime Mortgage Crisis and Bank Regulation, 27 No. 3 BANKING & FIN. SERV. POLY REP. 1 (2008). 69

Housing Market Deterioration in the Wake of the U.S. Subprime Mortgage Market Melt- down: Disturbing Metrics Point to Linkage Between Housing Policy and Financial Services Policy, 4 VITAL SPACES 8 (2011) [Newsletter of the UNECE Committee on Housing and Land Management and the Working Party on Land Administration].<sup>70</sup>

Stressing Out: New Guidance On Stress Testing For Large Banking Organizations, 31 No. 8 BANKING & FIN. SERVICES POL'Y REP. 1 (2012).

Housing Policy and the Core Principles for Effective Banking Supervision, 6 VITAL SPACES 4 (2013) [Newsletter of the UNECE Committee on Housing and Land Management and the Working Party on Land Administration].<sup>71</sup>

[Co-author], Amicus Curiae Brief, Gelboim v. Bank of America (Libor Manipulation Lit-

<sup>&</sup>lt;sup>68</sup> This work is cited in Susan V. Koski & Kathleen Bantley, *Dog Whistle Politics: The Trump Administration's Influence on Hate Crimes*, 44 SETON HALL LEGIS.J. 39, 42 n.18 (2020).

<sup>&</sup>lt;sup>69</sup> This article was cited in Roberta S. Karmel, *The Blame Game*, New York Law Journal, Oct. 16, 2008, at 3, col. 1, nn. 35-36; Wook Bai Kim, *Challenging the Roots of the Subprime Mortgage Crisis: the OCC's Operating Subsidiaries Regulations and Watters v. Wachovia Bank*, 21 Loy. Consumer L. Rev. 278, 290 n.64 (2009) (quoting article in note); José Gabilondo, *So Now Who Is Special?: Business Model Shifts Among Firms That Borrow to Lend*, 4 J. Bus. & Tech. L. 261, 275 n.103 (2009); Daniel J. Boyle, *Greenspan's Lament: Incentive Mechanisms and the Contamination of the Safety and Soundness of Depository Institutions from Risky Derivative Securities*, 10 Transactions: Tenn. J. Bus. L. 199, 229, n.97 (2009) (discussing in note); Virginia Torrie, *Weathering the Global Financial Crisis: An Overview of the Canadian Experience*, 16 L. & Bus. Rev. Am. 25, 30 n.17 (2010); Georgette Chapman Phillips, *The Jumbled Alphabet Soup of the Collapsed Home Mortgage Market: ABCP, CDO, CDS and RMBS*, 18 U. Miami Bus. L. Rev. 143, 158 n.101, 166 nn.155, 161 (2010); Dalvinder Singh, *U.K. Approach to Financial Crisis Management*, 19 Transnat'l L. & Contemp. Probs. 868, 875 n.28 (2011).

<sup>&</sup>lt;sup>70</sup> Cited in UN Economic Commission for Europe, *Policy Framework for Sustainable Real Estate Markets* 9 n.11 (rev. ed. 2019).

<sup>&</sup>lt;sup>71</sup> Cited in UN Economic Commission for Europe, *Policy Framework for Sustainable Real Estate Markets* 30 n.49 (rev. ed. 2019).

igation) on Behalf of Financial Markets Law Professors in Support of Plaintiffs-Appellants, available at http://ssrn.com/abstract=2839130.<sup>72</sup>

UTOPIA500: An Introduction, 48 U. PACIFIC L. REV. i (Symposium Issue, 2016). Introduction: Socio-Economics of Law School Pedagogy, 48 U. PACIFIC L. REV. i (Symposium Issue, 2017).

Everywhere a Cluck-Cluck: Frigaliment Importing Co. v. B.N.S. Int'l Sales Corp., in Val Ricks (ed.), The Best and Worst of Contracts Decisions: An Anthology, 45 FLA. ST. U. L. REV. 938 (2018).

Mangled Metaphors: ProCD, Inc. v. Zeidenberg., in Val Ricks (ed.), The Best and Worst of Contracts Decisions: An Anthology, 45 FLA. ST. U. L. REV. 998 (2018).

Posner by the Numbers, 50 U. PACIFIC L. REV. 317 (2018).

Introduction: Fifteenth Annual International Conference on Contracts, 52 U. PAC. L. REV. 1 (2020).

Introduction: Socio-Economic Perspectives on Contract Law, 53 U. PAC. L. REV. --- (forthcoming, 2022).

## **Blog**

GLOBAL K: BRAZIL AND THE CISG (2 December 2013), available at http://law-professors.typepad.com/contractsprof blog/2013/12/global-k-brazil-and-the-cisg.html.

GLOBAL K: ECONOMIC SANCTIONS AND TRANSNATIONAL CONTRACTS (10 December 2013), available at http://lawprofessors.typepad.com/contractsprof\_blog/2013/12/global-k-economic-sanctions-and-transnational-contracts.html.

GLOBAL K: SANCTIONS APPLIED, LESSONS IMPLIED (16 December 2013), available at http://lawprofessors.typepad.com/contractsprof\_blog/2013/12/global-k-sanctions-applied-lessons- implied.html.

GLOBAL K: MEET THE MICE (23 December 2013), available at http://lawprofessors.typepad.com/contractsprof\_blog/2013/12/global-k-meet-the-mice.html.

GLOBAL K: SOCIO-ECONOMICS PROGRAMS AT THE AALS ANNUAL MEETING (30 December 2013), *available at* http://lawprofessors.typepad.com/contractsprof\_blog/2013/12/global-k-socio-economics-programs-at-the-aals-annual-meeting.html.

GLOBAL K: CONTRASTING ATTITUDES TOWARDS ARBITRATION CLAUSES (5 January 2014), *available at* http://lawprofessors.typepad.com/contractsprof\_blog/2014/01/global-k-contrasting-attitudes-towards-arbitration-clauses.html.

GLOBAL K: BITCOINS B ACTUALLY A VIRTUAL PROBLEM (12 January 2014), available at http://lawprofessors.typepad.com/contractsprof\_blog/2014/01/global-k-bitcoins-actually-a-virtual-problem.html.

GLOBAL K: JULY CONFERENCE IN ATHENS (21 January 2014), available at http://lawprofessors.typepad.com/contractsprof\_blog/2014/01/global-k-july-conference-in-athens.html.

<sup>&</sup>lt;sup>72</sup> On at least seven occasions in October-December 2016, the amicus brief was listed on an SSRN Top Ten Download List. See http://ssrn.com/abstract=2839130\_(providing abstract and SSRN download statistics).

GLOBAL K: APPLES AND ORANGES? (27 January 2014), available at http://lawprofessors.typepad.com/contractsprof\_blog/2014/01/globalk-apples-and-oranges. html.

GLOBAL K: BIG BOYS PLAY ROUGH (3 February 2014), available at http://lawprofessors.typepad.com/contractsprof\_blog/2014/02/global-k-big-boys-play-rough.html.

GLOBAL K: CRAZY UNGENEROUS ARBITRATION CLAUSES (10 February 2014), available at http://lawprofessors.typepad.com/contractsprof\_blog/2014/02/global-k-crazy-ungenerous-arbitration- clauses.html.

GLOBAL K: EMPIRICALLY SPEAKING (17 February 2014), available at http://law-professors.typepad.com/contractsprof blog/2014/02/global-k-empirically-speaking.html.

GLOBAL K: IN MEMORIAM - LOUIS F. DEL DUCA (2 December 2015) available at http://lawprofessors.typepad.com/contractsprof\_blog/2015/12/global-k-in-memoriam-louis -f-del-duca.html.

MICHAEL MALLOY (PACIFIC MCGEORGE) - KCON SCHOLARSHIP SPOTLIGHT, available at http://lawprofessors.typepad.com/contractsprof\_blog/2017/03/michael-malloy-pacific-mcgeorge-kcon-scholarship-spotlight.html.

## Selected Speeches, Lectures, and Remarks

The Impact of U.S. Control of Foreign Assets on Refugees and Expatriates, Regional Meeting, American Society of International Law, University of Michigan Law School, Ann Arbor, MI (January 1981).

Remarks: Are the U.S. Treasury's Assets Control Regulations a Fair and Effective Tool of U.S. Foreign Policy? The Case of Cuba, Annual Meeting, American Society of International Law, New York, NY (April 1985).

Jurisprudence of the International Court of Justice in Cases concerning Boundaries, Institute of International Public Law and International Relations, Thessaloniki, Greece (September 1985).

Remarks: Expanding Uses of Presidential Economic Emergency Power, Annual Meeting, American Society of International Law, Washington, DC (April 1986).

Remarks: Internationalization of the Securities Markets, Annual Meeting, American Society of International Law, Washington, DC (April 1988).

Remarks: Global Trading in Financial Instruments, Annual Meeting, American Society of International Law, Chicago, IL (April 1989).

Remarks: Effects and Effectiveness of Economic Sanctions, Annual Meeting, American Society of International Law, Washington, DC (March 1990).

The Iraqi Sanctions: Something Old, Something New, Southern Illinois University School of Law (1991).

Bumper Cars: Convergence in International Financial Regulation, Graduate Colloquium, Fordham University School of Law, New York, NY (Fall 1991).

Lecture Series: Banking and Commercial Law Systems, Law Department, Council of Ministers, Republic of Belarus, Minsk, Belarus (June 1992).

Can 10b-5 for the Banks?, Graduate Colloquium, Fordham University School of Law, New York, NY (Fall 1992).

Shifting Paradigms: Bretton Woods in a Changing World, Graduate Colloquium,

Fordham University School of Law, New York, NY (Fall 1993).

Double, Double Toil and Trouble: Bank Regulatory Policy at Mid-Decade, Graduate Colloquium, Fordham University School of Law, New York, NY (Fall 1994).

*U.S. International Banking Regulation: Recent Changes and Challenges*, Eberhard-Karls-Universität Tübingen, Tübingen, Germany (May 1995).

Legal Framework of Economic Sanctions, Nicosia, Cyprus (June 1996).

Legal and Political Issues of Unilateral Sanctions: Emerging Trends and Challenges in U.S. Practice, Institute for Global Leadership, Geneva, Switzerland (November 1996).

*Economic Sanctions and International Trade*, International Law Section, Sacramento County Bar Association, Sacramento, CA (March 1997).

Introductory Remarks: Biotechnology and International Law, 19th International Law Symposium, University of the Pacific-McGeorge School of Law, Sacramento, CA (March 2000).

Current Issues in International Arbitration, Rechtsakademie Tagung, Universität Salzburg, Salzburg, Austria (May 2000).

Current Issues in Financial Services (Lecture, 20th International Law Symposium, University of the Pacific-McGeorge School of Law, March 2001).

Current Issues in International Arbitration (Lecture, 20th International Law Symposium, University of the Pacific-McGeorge School of Law, March 2001).

Functional Regulation: Premise or Pretext? (Lecture, Cleveland-Marshall College of Law Symposium, May 2001).

Capital Adequacy and Regulatory Objectives (Panel Presentation, International Law Weekend, International Law Association (American Branch), New York City, October 2001).

Financial Services in the Twenty-First Century (Panel Presentation, Annual Meeting, Association of American Law Schools, New Orleans, January 2002).

Current Issues in Financial Institutions Law (Northwestern University/Cleveland State University Program, St. Petersburg, Russia, June 2002).

International Financial Services Law and Practice (California State University Sacramento, July 2002).

Financing International Transactions (Lecture Series, Summer Program UC Davis, July 2002).

*Unfunding Terror* (Panel Introduction, International Law Symposium, University of the Pacific-McGeorge School of Law, February 2003)

Was bedeutet "Terrorismus"? (Luncheon Address, International Law Symposium, University of the Pacific-McGeorge School of Law, February 2003).

Uncommon Commonalities: Common Law and U.S. Federal Regulatory Law (Submitted Remarks, Annual Conference, Irish Association of Law Teachers, Galway, Ireland, April 2003).

National Favoritism: The Historical Underpinnings of the Current OCC Preemption Strategy, Testimony Before a Joint Hearing of the Committee on Banking, Commerce and International Trade of the California State Senate and the Banking and Finance Committee of the California State Assembly (May 21, 2003).

Financial Services Regulation after NAFTA (Presentation and submitted paper,

NAFTA:s First Decade: The Future of Free Trade in North America, Michigan State University-Detroit College of Law, 16-17 October 2003).

"High Concept" Sanctions: Terrorism as a Moving Target (Panel Presentation and submitted paper, International Law Weekend, International Law Association (American Branch), (New York, 25 October 2003).

The Emerging International Regime of Financial Services Regulation (Presentation and submitted paper, Irish Society of International Law, Dublin, Ireland, 23 November 2003).

International Project Finance and Capital Adequacy Requirements (Presentation, International Law Symposium, University of the Pacific-McGeorge School of Law, February 2004).

e-Banking Law and Regulation: Problems Now, Solutions Later (Panel presentation and submitted paper, Annual Conference, Irish Association of Law Teachers, Derry, N. Ireland, April 2004).

Legal Issues in e-Commerce (Lecture series, International Law Institute-Uganda, Kampala, Uganda, October 2004).

The Emerging International Regime of Financial Services Regulation (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, November 2004).

The Corporate Law of Banks and the Dog in the Night-Time (Distinguished Speakers Series, University of the Pacific McGeorge School of Law, February 2005).

Development Law and Policy and the New Ireland (Panel presentation and submitted paper, Annual Conference, Irish Association of Law Teachers, Letterkenny, Ireland, March 2005).

Teaching International Arbitration in U.S. Law Schools (Presentation at 20th Anniversary Conference, School of International Arbitration, Queen Mary University London, April 2005).

*International e-Commerce* (Course Lectures, Pacific McGeorge Summer Program, Salzburg, Austria, July 2005).

Securities Regulation (Lecture Series, Orientation in USA Law Program, UC Davis, August 2005).

Financing International Transactions (Lecture Series, Summer Program UC Davis, August 2005).

Development, Banking, and Judicial Independence (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, October 2005).

*Transnational Business Transactions* (Lecture series, Salzburg University, Faculty of Law, November 2005).

Towards a National Community: The CRA and the Contemporary Market (Panel Remarks, Annual Conference Law and Business Center for Advancing Entrepreneurship, Western New England College School of Law, March 2006).

Globalizing Contract Law (Panel Presentation, Annual Meeting, American Society of International Law, March 2006).

Transfer Pricing Principles and Economic Development: The Tax Man and a Changing Ireland (Irish Association of Law Teachers Annual Conference, April 2006).

Keynote Address (8th International Reunion, European Chapter, Pacific McGeorge

Alumni Association, May 2006).

Capital Regulation and International Banking: A Questionable Strategy (Athens Institute for Education and Research, Panel Presentation, 2006 International Conference on Industrial Organization, Economics and Law, June 2006).

Interview, NPR Weekend Edition Sunday (25 June 2006) (discussing legal implications of CIA/Treasury data mining of financial transactions and transfers effected through SWIFT).

Written Evidence: Memorandum to the Select Committee on Economic Affairs of the House of Lords of the United Kingdom on the Impact of International Economic Sanctions (30 Sept. 2006).

Re-Thoughts on International Corruption (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, October 2006).

I Think I Can, I Think ICANN: Introduction to the Symposium on Regulating the Internet (Presentation, International Law Symposium, University of the Pacific McGeorge School of Law, February 2007).

The Priestly Caste: Lessons From Differences in Legal and Medical Education (Presentation, Advances and Controversies in Medical Education Symposium in Honor of Dr. Robert Goldstein, Uniformed Services University of Health Sciences, April 2007).

Transfer Pricing Principles and Economic Development: The Taxman and a Changing Europe, (Athens Inst. for Education & Research: Panel Presentation, 2007 International Conference on Industrial Organization, Economics and Law, July 2007).

History and Current Structure of U.S. Financial Services Regulation: Watters under the Bridge (Lecture, Queen Mary University of London, Centre for Commercial Law Studies. December 2007).

The Subprime Mortgage Crisis: An International and Regional Threat in Need of a Solution (Athens Inst. for Education & Research: Panel Presentation, 2008 International Conference on Industrial Organization, Economics and Law, July 2008).

*Cyber Crime*, (Lecture series, International Law Institute-African Centre for Legal Excellence, Kampala, Uganda, September 2008).

Coordination, Cooperation and Harmonization: Utility and International Regulation (Presentation, Hot Topic Panel on the Financial Crisis, AALS Annual Meeting, January 2009).

Commentary on Erik F. Gerding, *The Subprime Mortgage Crisis: Code, Crash, and Open Source* (Section on Financial Institutions and Consumer Financial Services Panel, AALS Annual Meeting, January 2009).

The International Financial Crisis and Nation-Based "Prudential Regulation" (Athens Inst. for Education & Research: Panel Presentation, 2009 International Conference on Law, July 2009).

Global Issues in Contract Law (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2009).

Participant & Commentator, 70th Session of the UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, September 2009).

Global Issues in Contract Law: Formation and Remedies (Lecture Series, International Law Program, UC Davis School of Law, November 2009).

Anatomy of a Meltdown: Lessons from the Sub-Prime Mortgage Crisis (Gonzaga

University School of Law, November 2009).

Caught in the Cross-Currents: International Economic Sanctions in Contemporary Practice (Presentation, Joint Session, Section on National Security Law, Section on International Human Rights, and Section on International Law, AALS Annual Meeting, January 2010).

After the Meltdown: Peanuts, Popcorn, and Banking Practice (Federal Bar Ass-n: Panel Presentation, Meltdown 101: Lessons Learned from the Great Recession, February 2010).

Assessing Professional Competence: Lessons from Med Ed (Lecture, Duquesne University School of Law, February 2010).

The Elephant in the Dark: Assessing Lawyer Competence, Keynote Address, 14th Ottawa International Conference on Clinical Competence (May 2010).

Introduction to International Contract Law (Lecture Series, International Law Program, UC Davis School of Law, June 2010).

Securities Law and Regulation (Lecture Series, International Law Program, UC Davis School of Law, July 2010).

Encountering Antigone: Personal and Civic Duties and the Art of the Advocate (Athens Inst. for Education & Research: Panel Presentation, 2010 International Conference on Law, July 2010).

The Anatomy Lesson of Dr. Michael Malloy: The Meltdown (Speakers Series, McGeorge School of Law, November 2010).

Wounded Tigers: Responses to Financial Crisis in a Permeable World (Irish Association of Law Teachers, Annual Conference, November 2010).

Reform of US Financial Regulation and Supervision (Centre for Commercial Law Studies, Queen Mary University of London, December 2010).

Socio-Economics and Academic Freedom: Anatomy of the Meltdown: Where are You When We Need You? (Society of Socio-Economists Annual Conference, January 2011).

Anatomy of the Meltdown: A Behavioral Look at Regulation (AALS Annual Meeting, Section on Socio-Economics, January 2011).

Contracts in Times of Crisis (6th International Conference on Contracts, Stetson University, February 2011).

*International Contract Law* (Lecture Series, International Law Program, UC Davis School of Law, March-April 2011).

Zone Defense: The Euro Zone and the Crisis in Financial Services Markets (Athens Inst. for Education & Research: Panel Presentation, 2011 International Conference on Law, July 2011).

Global Influences on US Contracts (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2011).

*Introduction to Bankruptcy* (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2011).

Regulatory Aspects of Financing International Transactions (Lecture Series, International Law Program, UC Davis School of Law, July 2011).

Anatomy of a Meltdown: The Continuing Small Business Impact (Speaker Series, Western New England University School of Law, Law and Business Center for Advancing Entrepreneurship, September 2011).

Participant & Commentator, 72d Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2011).

Reform of US Financial Regulation and Supervision (Centre for Commercial Law Studies, Queen Mary University of London, December 2011).

Permeable Economies, Not Globalized Economy: The Situation and Performance of Financial Services Markets (Presentation, Society of Socio-Economists Annual Meeting, January 2012).

Socio-Economics in Teaching and Advocacy (Panel Chair, Society of Socio-Economists Annual Meeting, January 2012).

Governing Foolishness: A Comparative Analysis of Executive Compensation Rules (AALS Annual Meeting, Section on Socio-Economics, January 2012).

Mandating Arbitration, or Sort of Not. Mandatory Arbitration Clauses after the Dodd-Frank Act (Presentation, 7th Annual International Conference on Contracts, Thomas Jefferson School of Law, March 2012).

Negotiating in a Ditch: Institutional Implications of the Sovereign Debt Crisis, (Conference on Financing Sovereignty: The Implications of Sovereign Debt in the US and Abroad, University of Connecticut School of Law, April 2012).

Governing Foolishness: A Comparative Analysis of Executive Compensation Rules (Athens Inst. for Education & Research: Panel Presentation, Ninth Annual International Conference on Law, July 2012).

Global Influences on US Contracts (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2012).

*Introduction to Bankruptcy* (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2012).

Participant & Commentator, 73d Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, September 2012).

Risk Management and the UNECE Policy Framework for Sustainable Real Estate Markets, FIABCI UN Symposium (New York, October 2012).

Institutional Organization of Bank Supervision - Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2012).

Still Watters run shallow: A stream not taken, in Roundtable: 25 Years of Banking Regulation - Socio-Economic Perspectives (Presentation, Society of Socio-Economists Annual Meeting, January 2013).

Say What? The Cognitive Dissonance of Say-on-Pay (Presentation, AALS Annual Meeting, Section on Socio-Economics, January 2013).

Frontiers of Doctrine (Panel Moderator, 8th Annual International Conference on Contracts, Texas Wesleyan School of Law, February 2013).

Mixing the Brew, Stirring the Pot: Is there a Law of Contracts without Statutes? (Panel Moderator, 8th Annual International Conference on Contracts, Texas Wesleyan School of Law, February 2013).

An Integrated, Experiential Approach to the Basic Contracts Course, (Panel Presentation, 8th Annual International Conference on Contracts, Texas Wesleyan School of Law, February 2013).

Global Issues in US Contract Law (Lecture Series, UC Davis School of Law, April 2013).

Core Principles for Effective Banking Supervision: New Concepts and Challenges (Athens Inst. for Education & Research: Panel Presentation, Tenth Annual International Conference on Law, July 2013).

Global Influences on US Contracts (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2013).

*International Crime and Sanctions* (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2013).

*Introduction to Bankruptcy* (Lecture Series, Orientation in USA Law, UC Davis School of Law, July 2013).

Commentator, Sergio Puig, *Enforcement in a Regime Complex* (Meeting, Northern California International Law Scholars, Santa Clara University School of Law, September 2013).

Participant & Commentator, 74th Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2013).

Institutional Organization of Supervision: Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2013).

Chair, Socio-Economic Perspectives on Current Legal Issues (Concurrent Session, Society of Socio-Economists Annual Meeting, January 2014).

There are no Bitcoins, Only Bit Payers: Law, Policy and Socio-Economics of Virtual Currencies (Presentation, AALS Annual Meeting, Section on Socio-Economics, January 2014).

Organizer & Host, First Annual Conference on Business, Law, and Economics (Business and Law Research Division, Athens Inst. for Education & Research Conference, Athens, May 2014).

There are no Bitcoins, Only Bit Payers: Law, Policy and Socio-Economics of Virtual Currencies (Athens Inst. for Education & Research: Panel Presentation, Eleventh Annual International Conference on Law, July 2014).

Participant & Commentator, 75th Session, UN Economic Commission for Europe, Committee on Housing and Land Management (Geneva, October 2014).

Participant & Commentator, American Society of Comparative Law, Younger Comparativists Committee, Workshop on Comparative Business and Financial Law (UC Davis School of Law, November 2014).

Institutional Organization of Supervision: Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2014).

Chair & Panelist, *Teaching Financial Services Law in Times of Crisis* (Concurrent Session, AALS Annual Meeting, Section on Socio-Economics, January 2015).

Structural Crisis in post-Meltdown Financial Services Regulation (Presentation, Society of Socio-Economists Annual Meeting, January 2015).

Risk Management in Financial Services (Athens Inst. for Education & Research: Panel Presentation, Twelfth Annual International Conference on Law, July 2015).

Institutional Organization of Supervision: Reform in the US (Centre for Commercial Law Studies, Queen Mary University of London, December 2015).

Utopia and the Law and Literature Movement (UTOPIA500, McGeorge School of Law, January 2016).

Global Influences on US Contracts (Lecture Series, Orientation in USA Law, UC Da-

vis School of Law, July 2016).

Securities Regulation (Lecture Series, International Law Program, UC Davis School of Law, July 2016).

*More's Utopia and Socio-Economics* (Oxford Conference on Business, Economics, Poverty & Inclusive Capitalism, Saïd School of Business, Oxford University, July 2016).

Encountering Utopia: Social Stresses and Responsibilities of the Lawyer (Athens Inst. for Education & Research: Panel Presentation, Thirteenth Annual International Conference on Law, July 2016).

The Emerging International Regime of Financial Services Regulation (Global Tectonics Seminar, Santa Clara University School of Law, September 2016).

Chair & Speaker, *Roundtable on Financial Services Regulation* (Concurrent Session, Society of Socio-Economists Annual Meeting, January 2017).

Chair & Speaker, *Narrative Arcs and Simulations* (Concurrent Session, AALS Annual Meeting, Section on Socio-Economics, January 2017).

Socio-Economics in Teaching, Research, and Service (Presentation, AALS Annual Meeting, Section on Socio-Economics, January 2017).

Contracts in a Digital Age: My Teenaged Tech Advisors Rescue Dad (Presentation, Twelfth Annual International Conference on Contracts (KCON XII), Southwestern Law School, February 2017).

Chair & presenter (Athens Inst. for Education & Research: Panel Presentations, Fourteenth Annual International Conference on Law, July 2017).

Commentator, *Works-in-Progress* (AALS Annual Meeting, Section on Securities Regulation, January 2018).

Moderator & presenter, *Current Issues in Financial Services Regulation* (AALS Annual Meeting, Section on Socio-Economics, January 2018).

Moderator & presenter, *Judge Posner and Contract Law* (Thirteenth Annual International Conference on Contracts (KCON XIII), Barry University School of Law, February 2018).

*Economic Sanctions and Election Interference* (McGeorge Global Center Annual Symposium: Foreign Interference with Elections, March 2018).

Securities Regulation (Lecture Series, International Law Program, UC Davis School of Law, July 2018).

Panel moderator & presenter (Athens Inst. for Education & Research: multiple panel presentations, Fifteenth Annual International Conference on Law, July 2018).

Commentator, *Works-in-Progress* (AALS Annual Meeting, Section on Financial Institutions and Consumer Financial Services, January 2019).

Panel chair & presenter, Fourteenth Annual International Conference on Contracts (KCON XIV), Tulane University School of Law (March 2019).

Co-host, panel chair & presenter, *Global Rules for Bank Capital*, Sixth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2019).

Panel moderator & presenter, Sixteenth Annual International Conference on Law (Athens Inst. for Education & Research: multiple panel presentations, July 2019).

Principal presentation, 80th Plenary Session of the Committee on Urban Development, Housing and Land Management, UN Economic Commission for Europe, during the

official launch of the newly revised Policy Framework for Sustainable Real Estate Markets (Geneva, October 2019).

Co-organizer & co-host, Fifteenth Annual International Conference on Contracts (KCON XV), University of the Pacific McGeorge School of Law (February 2020).

Co-organizer & co-host (participating online), Seventh Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2020).

Co-host & presenter (participating online), Seventeenth Annual International Conference on Law (Athens Inst. for Education & Research, July 2020).

Participant, 81st Plenary Session of the Committee on Urban Development, Housing and Land Management, UN Economic Commission for Europe (Geneva, via Interprefy online participation, October 2020).

Moderator, Networking Session, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2021).

Commenter, *Perspectives on Shareholder and Stakeholder Primacy*, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2021).

Speaker, *The Community Reinvestment Act and the Unbanked: No Stake to Hold Onto*, Annual Meeting of Society of Socio-Economists, (January 2021).

Co-organizer & co-host (participating online), Eighth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2021).

Presenter (participating online), *Promises for the Future*, Eighth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2021).

Co-host & presenter (participating online), *Encountering Charles Dickens: The Law-yer's Muse*, Eighteenth Annual International Conference on Law (Athens Inst. for Education & Research, July 2021).

Host & presenter, *Contracts and Economic Sanctions*, Zoom Panel of the International Contracts Conference (KCON Zoom 1), *Contracts in the Twenty-First Century*, University of the Pacific McGeorge School of Law (August 2021).

Moderator & Presenter (participating online), *The Socio-Economics of Contract Law*, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2022).

Commenter (participating online), *Transnational Suppliers in Global Value Chains*, Section on Business Associations, Association of American Law Schools Annual Meeting (January 2022).

Commenter (participating online), Banking and the Antimonopoly Tradition: The Long Road to the Bank Holding Company Act, Section on Financial Institutions & Consumer Financial Services, Association of American Law Schools Annual Meeting (January 2022).

Co-Moderator (participating online), *Section Networking Session*, Section on Socio-Economics, Association of American Law Schools Annual Meeting (January 2022).

Co-organizer & co-host (participating online), Ninth Annual International Conference on Business, Law, and Economics (Athens Inst. for Education & Research, May 2022).

Quoted in Karen Kroll, Welcome to the universe of flex-hybrid exams, ABA Banking Journal (May 5, 2022).

Co-host & presenter (participating online), *Russia-Ukraine Economic Sanctions: Legal Responses to a Crisis*, Nineteenth Annual International Conference on Law (Athens Inst. for Education & Research, July 2022).

[12 July 2022 (1:18 am)]